

6th February, 1933

THE
LEGISLATIVE ASSEMBLY DEBATES
(Official Report)

Volume I

(19th January to 21st February, 1927)

FIRST SESSION
OF THE
THIRD LEGISLATIVE ASSEMBLY, 1927



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LEGISLATIVE ASSEMBLY.

Monday, 6th February, 1933.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. Deputy President (Mr. R. K. Shanmukham Chetty), in the Chair.

MEMBER SWORN.

Major-General Sir John Megaw, K.C.I.E., K.H.P., M.L.A. (Government of India: Nominated Official).

QUESTIONS AND ANSWERS.

TREATMENT METED OUT TO INDIANS IN AUSTRALIA AND NEW ZEALAND.

115. *Mr. Gaya Prasad Singh: (a) Has the attention of Government been drawn to the *Fiji Samacher*, Suva, Fiji, dated the 10th September, 1932 (page 3), in which a letter, dated the 25th July, 1932, from Mr. R. K. Sarosh Irani of the Sarosh Motor Works, Ltd., of Nasik, Bombay, addressed to the Private Secretary to H. E. the Viceroy and Governor General of India, has appeared, detailing the humiliating and discriminatory treatment which was meted out to him in Auckland, Sydney, Melbourne, Adelaide, and Freemantle, by the passport authorities, while passing through Australia and New Zealand in 1932? Have Government inquired, or do they propose to inquire into this matter? If not, why not?

(b) Are Government in a position to state how many Australians and New Zealanders annually visit India on the average; and do Government propose to adopt the same measure of reciprocity treatment meted out to them as the Indians receive in those countries? If not, why not?

Mr. G. S. Bajpai: (a) and (b). Government have seen the letter referred to by the Honourable Member. His attention is invited to the reply given by me to question No. 483 in this House on the 20th September, 1932. No reply has yet been received to the enquiry made. Government have no information about the number of Australians and New Zealanders who visit India annually. Honourable Member will, I am sure, agree that until a reply has been received and considered, the Government of India cannot decide what would be the most suitable action to take.

Mr. Gaya Prasad Singh: May I take it that when the reply comes, it will be placed on the table of the House?

Mr. G. S. Bajpai: I shall consider that question, Sir.

REFUSAL BY THE GOVERNMENT OF FIJI TO GRANT PERMISSION TO PANDIT SHREE KRISHNA SHARMA TO RETURN TO FIJI.

116. *Mr. Gaya Prasad Singh: Are Government aware that the Government of Fiji have refused to grant permission to Pandit Shree Krishna Sharma, Missionary of the Arya Pratinidhi Sabha of Fiji, whose name appears on the electoral roll of the Southern Division of the Colony, to return to Fiji? If so, why?

The Honourable Sir Harry Haig: Yes. It is understood that it was apprehended by the Fiji Government that his activities were likely to cause communal trouble.

Mr. Gaya Prasad Singh: May I know what evidence is in the possession of Government to indicate that his activities will be in the direction mentioned in the reply?

The Honourable Sir Harry Haig: It is not a question of evidence in the possession of the Government of India. This is action taken by the Fiji Government.

Mr. Gaya Prasad Singh: Do I understand that the Government of India did not take any steps to ask the Fiji Government whether their action was taken on any evidence or not?

The Honourable Sir Harry Haig: So far as the Home Department are concerned, the answer is certainly in the negative. We do not correspond with the Governments of the Colonies.

Dr. Ziauddin Ahmad: May I ask what is the nature of the permission? Is it in the shape of a visa by the Consul of the Fiji Government, or is the permission taken of the Government of Fiji themselves?

The Honourable Sir Harry Haig: I think possibly if Honourable Members wish to pursue these points it will be desirable that they should address themselves to the fountain of knowledge in this House, my Honourable friend, Mr. Bajpai.

Dr. Ziauddin Ahmad: Is it only a visa by the Consul, or has every permission letter to go to the Fiji Government themselves for opinion?

Mr. G. S. Bajpai: The position at the present moment is that the Government of Fiji do not allow anybody to go into Fiji without their prior consent.

Mr. Gaya Prasad Singh: Is it not a fact that this particular gentleman is an inhabitant of Fiji itself and that his name appears on the electoral rolls of that country, and I should like to know for how long he has been asked to remain out of Fiji?

Mr. G. S. Bajpai: I do not happen to know for how long he has been asked to remain out of Fiji, nor do I know whether he is a permanent inhabitant of Fiji. What I submitted was that the Government of Fiji do not now allow people to go back without their prior consent.

Mr. S. C. Mitra: Does it apply in the case of a person who is a permanent resident of Fiji and who comes out temporarily to India for a visit?

Mr. G. S. Bajpai: I take it that it does not apply to people who are born and domiciled in Fiji, but people who had been there previously as a matter of purely temporary residence—in their case this is necessary.

Mr. Gaya Prasad Singh: May I take it that the Government of India have taken no steps and do not propose to take any steps in the matter of enquiring whether the judgment of the Fiji Government has been exercised with proper discretion or not?

Mr. G. S. Bajpai: The position is that the Government of India have not been approached by the gentleman concerned. They cannot very well move in the matter without some formal reference to them.

RESTRICTION ON THE ISSUE OF PASSPORTS TO INDIANS GOING TO FIJI.

117. *Mr. Gaya Prasad Singh: Have Government received any communication from the Government of Fiji, or any other authority, to restrict the issue of passports to Indians going to Fiji, unless they produce a written permission of the Fiji authorities? If so, what reply have Government given to this request; and why have Indians been singled out for this discrimination?

Mr. H. A. F. Metcalfe: Yes. The Fiji Government represented that sex disproportion in the local Indian population was very marked and requested that no passport or visa for Fiji should be granted to any Indian male unless:

- (a) he is accompanied by his wife, or
- (b) he produces evidence that he is a resident of Fiji, or
- (c) the consent of the Fiji Government is first obtained.

The Government of India have accepted the request and issued instructions accordingly to passport issuing authorities in India.

There is no discrimination against Indians since like restrictions are imposed on other races when similar sex disproportion exists.

INDIAN STUDENTS IN THE SCHOOLS OF FIJI.

118. *Mr. Gaya Prasad Singh: Will Government kindly state the approximate number of Indian students in the schools of Fiji, and the amount of expenditure over their education, and over the education of European students in the Colony?

Mr. G. S. Bajpai: According to the latest available Annual Report of the Department of Education in Fiji, which is for the year 1931, the total number of Indians enrolled in all schools was 4,531. The net expenditure on the education of Indians and Europeans was £9,815-15-8 and £5,762-16-9, respectively.

PROHIBITION OF THE USE OF HINDI READERS BY RAMDAS GAUR IN INDIAN SCHOOLS IN FIJI.

119. *Mr. Gaya Prasad Singh: Is it a fact that the use of Hindi readers by Ramdas Gaur in Indian schools in Fiji has been prohibited? If so, why? And since when?

Mr. G. S. Bajpai: I place on the table copy of a question asked on the subject in the Legislative Council of Fiji in October, 1932, and the answer given to it. Government of India have no further information.

Extract from the Indian Members' Questions and the Replies thereto at the October Session, 1932, of the Fiji Legislative Council.

Question—

58. Will the Government be so good as to state:

(a) whether the use of Hindi readers by Ramdas Gaur in Indian Schools has been prohibited?

(b) if the answer be in the affirmative, reason or reasons for prohibiting such Readers?

(c) the authority that recommended their prohibition?

(d) grounds of his recommendations upon which the prohibition order was made?

(e) whether the Government will consider appointing a Committee to examine the suitability or otherwise of these Readers and others in use and to report upon the justification or otherwise of the action taken?

Answer—

58. (a) Section 23, sub-section 7(e) of the Education Ordinance 1929 states that with respect to all registered or recognised schools no books of secular instruction shall be used which are not approved by the Board. The Hindi readers by Ram Das Gaur have not been so approved.

(b), (c) and (d). The Board of Education does not give reasons for its decisions made under the powers conferred on it by the Ordinance.

(e) The answer is in the negative.

AREAS IN FIJI CLOSED FOR THE SETTLEMENT OF INDIANS.

120. *Mr. Gaya Prasad Singh: Will Government kindly state if there are certain areas in Fiji which are closed for the settlement of Indian subjects in that Colony? If so, what are such areas, and why is this restriction?

Mr. G. S. Bajpai: I place on the table relevant extracts from a question and answer on this subject in the Fiji Legislative Council.

Extracts from a question and answer during the October Session, 1932, of the Fiji Legislative Council, regarding areas closed for the settlement of Indians in Fiji.

Question—

65. Will the Government be so good as to inform this Council:

(a) the names of the districts or parts of such districts and areas in each of them closed for the settlement of the Indian subjects of His Majesty resident in Fiji?

(b) reason or reasons for closing such areas to Indians?

Answer—

65. (a) The provinces of Cakaudrove; Serna (the interior part behind the coastal range); Tailevu North (that part north of the Waidalici River); the Lau Group; the Lomaiviti Group; the Yasawa Group and the islands of Kadavu and Beqa. The above mentioned parts of the Colony are reserved from general agricultural settlement, except in special cases such as store site leases, and so on.

(b) The general interests of the Colony.

APPOINTMENT OF INDIANS AS JURORS, ASSESSORS OR JUSTICES OF THE PEACE IN FIJI.

121. ***Mr. Gaya Prasad Singh:** Is it a fact that no Indian residents in Fiji has ever been appointed Jurors, or Assessors, or Justices of the Peace in that Colony? If so, why is this restriction; and what steps have Government taken or propose to take in this matter?

Mr. G. S. Bajpai: I place on the table a copy of the interpellations on the subject in the last October session of the Fiji Legislative Council. As the question of appointing Indians as Justices of the Peace and Jurors and Assessors is engaging the attention of the Colonial Government, no action on the part of the Government of India is called for at present.

Extract from the Indian Members' Questions and the Replies thereto at the October Session, 1932, of the Fiji Legislative Council.

Question—

72. Will the Government be pleased to inform this Council :

(a) whether the Government has considered the necessity for the appointment of Indians as Justices of Peace?

(b) if the answer be in the affirmative, the decision arrived at?

(c) if the answer be in the negative, whether the Government will be pleased to consider the question and appoint, wherever necessary, some Indians as Justices of Peace?

Answer—

72. (a) The Governor has under consideration the question of making appointments of one or more Fijian and Indian Justices on the occasion of the King's Birthday.

(b) No undertaking can be given.

(c) Does not arise.

Question—

73. Will the Government be so good as to state the steps taken to recommend the inclusion of Indian names on the lists of Jurors and Assessors of this Colony?

Answer—

73. No new list of jurors and assessors has been made since the enactment of the Jurors and Assessors Ordinance 1932, which was passed in the July session of the late Council. A new list will be prepared in May, 1933. Every male person between the ages of 21 and 60 years resident in the Colony, and possessing the necessary qualifications mentioned in the Ordinance, is liable to be included.

Any person whose name is omitted from the list may [by Section 6 (4)] appear before the Chief Justice either personally or by an advocate and assert his right to serve as a juror.

From the list so made the Chief Justice will select a sufficient number of persons qualified by education and character to serve as assessors in criminal cases. At present there are no Indians on the list, but should suitable Indians be included in the lists for next year the Chief Justice will no doubt give full effect to the provisions of the Ordinance.

FACILITIES FOR THE EDUCATION OF INDIAN CHILDREN IN FIJI.

122. ***Mr. Gaya Prasad Singh:** Will Government kindly state whether any facilities for the education of Indian children in the Dreketi, Nasarawaqa Bua, and Savusavu areas of Vanualevu in Fiji, are provided? If so, how many educational institutions have been in existence there, and what is the annual expenditure involved? What steps have been taken to encourage the spread of education among the Indian settlers in Fiji?

Mr. G. S. Bajpai: I place on the table relevant extracts from a question and answer on the subject in the Fiji Legislative Council. The Government of India have no information regarding the number of educational institutions in the areas mentioned or the annual expenditure thereon. As regards the last part of the question, the attention of the Honourable Member is invited to the reply given in this House to part (d) of his question No. 549 on the 29th February, 1932.

Extract from Fiji Legislative Council, October Session, 1932.

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Indian Members' Questions and the Replies thereto.

The Member for the Indian Southern Division:

* * * * *

Question—

77. Will the Government be pleased to state:

(a) whether any facilities for the education of Indian children in the Dreketi, Nasarawaqa, Bua, and Savusavu areas of Vanualevu are provided?

(b) whether the Government has considered the educational needs of these areas in Vanualevu?

(c) what steps do the Government propose to take to establish in each of these areas a school for Indian children?

* * * * *

Answer—

77. (a) Indian pupils may be enrolled in schools established at Dreketi and Nasarawaqa.

(b) The educational needs of every part of Fiji are under constant consideration.

(c) Educational facilities are being gradually extended throughout the Colony as finances permit.

INDIANS REPATRIATED FROM FIJI.

123. ***Mr. Gaya Prasad Singh:** Will Government kindly give the number of Indians repatriated from Fiji during the last five years? How many of them have returned to that Colony; and what has become of those who have been repatriated to this country?

Mr. G. S. Bajpai: The number of Indian repatriates from Fiji during 1932 is not yet known. The figures for the 5 years ending 31st December, 1931, are as follows:

Year.	Number of repatriates.
1927	984
1928	973
1929	653
1930	642
1931	171

So far as the Government of India are aware, only 850 persons were assisted by the Government of Fiji to go back to that Colony in 1928. The presumption is that the remainder of the repatriates have been absorbed in India. The Government of India have no information as to what has happened to them; a few may be amongst the returned emigrants in the camp at Calcutta.

EQUALITY OF THE STATUS OF INDIANS IN FIJI.

124. ***Mr. Gaya Prasad Singh:** Will Government kindly state:

- (a) whether they are aware of the pledge given in 1875, during the reign of Her Majesty Queen Victoria, by Lord Salisbury, on behalf of Her Majesty's Government, to the following effect:

"Above all things, the Colonial laws and their administration will be such that the Indian settlers will be, in all respects, free men with privileges no whit inferior to those of any other class of Her Majesty's subjects resident in the Colonies."?

- (b) whether the Government of Fiji did in the year 1920, after full discussion with the European Elected Members of the Legislative Council of Fiji and with the approval of the Secretary of State for the Colonies, give the pledge required by the Government of India that the position of Indians in Fiji would be equal to those of any other class of His Majesty's subjects resident in Fiji?

- (c) whether they are aware of the resolution passed in 1921, at the Imperial Conference, under the authority and seal of the Dominion Ministers and of important representatives of the British Cabinet, the spirit of which was that India, having now been admitted as an equal member of the British Empire, should no longer be subjected to any disability and that the British Indians lawfully domiciled in any part of the Empire should be given the full and unrestricted rights of British citizenship?

- (d) whether the Government of Fiji undertook to introduce into the Legislative Council of Fiji an Ordinance giving effect to the pledge referred to in (b) above? If so, with what result?

Mr. G. S. Bajpai: (a), (b), (c) and the first part of (d). Yes.

As regards the second part of part (d) of the question, the Government of Fiji have not passed any Ordinance on the subject, presumably because the two main questions of the political and the municipal franchise have come in for separate treatment.

COMMON ROLL AND REPRESENTATION OF INDIANS ON THE LEGISLATIVE COUNCIL IN FIJI.

125. *Mr. Gaya Prasad Singh: (a) Is it a fact that in British Guiana and Mauritius, a common electoral roll and a common franchise are in vogue? Why is not such a system introduced in Fiji?

(b) Is it not a fact that about 4,000 Europeans in Fiji have the right to elect 6 representatives, while more than 75,000 Indians can elect only 3, and the natives of Fiji numbering over 95,000 have no representation at all in the Fiji Council?

(c) Is it not a fact that the official seats are always filled by Europeans, and if so, why are they given additional representation? What steps have been taken by the Government of India to redress this state of things?

Mr. G. S. Bajpai: (a) The answer to the first part is in the affirmative. As regards the second part, the attention of the Honourable Member is invited to the reply given by the Honourable Sir Fazl-i-Husain to part (d) of his question No. 634 in this House on the 22nd September, 1931.

(b) The position is that Europeans elect six members and Indians three, while Fijians have three nominated representatives.

(c) The answer to the first part is, yes, but the official seats are filled by officers in virtue of the posts held by them and not as representatives of the European community. As regards the second part, the attention of the Honourable member is invited to the answer given by me to his unstarred question No. 22 on the 4th September, 1928.

AEROPLANE FLIGHT TO BADRI NATH DURING JATEA SEASON.

126. *Mr. Gaya Prasad Singh: Is it a fact that recently Mr. R. N. Chawla made a flight from Delhi to Joshi Muth (about 14 miles south of Badri Nath, in the District of Garhwal, U. P.) in a Puss Moth aeroplane in about 5 hours and 30 minutes only? Are Government aware that Badri Nath is an important place of pilgrimage for the Hindus? What facilities, if any, are Government prepared to give to any undertaking for aeroplane flights to Badri Nath to carry pilgrims during the *Jatra* season?

The Honourable Sir Frank Noyce: There is no official information about the flight made by Mr. R. N. Chawla from Delhi to Joshi Muth, but Government have seen a report to the effect that such a flight was made without landing.

The reply to the second part of the question is in the affirmative.

So far as Government are aware, the country around the Badri Nath temple is unsuitable for landing grounds, while the altitude which is over 10,000 feet precludes the landing or taking off there by normal aeroplanes even if the site were otherwise suitable for the establishment of an aerodrome.

FORGED TEN-RUPEE NOTES IN THE CURRENCY NOTE PRESS, NASIK.

127. *Mr. Gaya Prasad Singh: (a) With reference to my starred question No. 1325 (a) of 21st November, 1932, will Government kindly state the number of the series, forgeries of which were detected at 51 places,

and what was the number of the series of the 158 ten-rupee currency notes stolen from the Currency Note Press?

(b) Will Government kindly state if the paper of the forged notes bore any star water-mark, and appeared similar to genuine paper?

The Honourable Sir George Schuster: With your permission, Sir, I will deal with questions Nos. 127 to 140 together.

Enquiry is being made and complete replies will be laid on the table in due course.

STAR WATER-MARKED CURRENCY NOTES PRINTED IN THE CURRENCY NOTE PRESS, NASIK.

†128. ***Mr. Gaya Prasad Singh:** Are Government aware that ten-rupee star water-marked currency notes printed in the Currency Note Press, Nasik Road, are still being received by currency authorities and so far more than 158 genuine notes printed in the Currency Note Press, but not issued officially to the public, have been received by them? If so, will Government kindly state how this could be possible, and the actual number of genuine notes so far received?

VERIFICATION OF SPOILED OR REJECTED CURRENCY NOTES IN THE CURRENCY NOTE PRESS, NASIK.

†129. ***Mr. Gaya Prasad Singh:** (a) With reference to my starred question No. 6 of the 5th September, 1932, will Government kindly state if the six million ten-rupee notes and the balance of 592 reams of currency note-paper, after printing the above six million notes which had to be destroyed due to the design being stopped, were thoroughly verified and checked before destruction by an officer entirely independent of the Master, Security Printing, India, who is also *ex-officio* Controller of Stamps? If so, will Government kindly state the name and designation of the officer who verified them and place his report on the table? If not, will Government kindly state by whom the verification was done, and whether Government consider such verification by officers in any way subordinate to the Master safe and feel satisfied?

(b) Will Government kindly state how the stocks of water-marked Currency Note Papers both in the store and in process under the Control Department of the Press are verified periodically? Is it not a fact that such verifications are not done quite independently of the Master? Is it not a fact that the water-marked paper in store or in process are never verified by the auditors nor do they check the internal accounts of currency notes and watermarked paper maintained by the Control Department? If so, why? What is the procedure of verification adopted in the different currency offices, and whether the same system could not be introduced in the Press? Are there any rules for such verifications laid down by the Government, and if so, do they apply in the Press?

(c) What is the procedure adopted by the authorities in verifying spoiled notes which are destroyed frequently? Is it not a fact that they are verified and destroyed by an officer subordinate to the Master? Has this system not been objected to by the audit authorities?

†For answer to this question, see answer to question No. 127.

CONVICTION AND SENTENCE OF THE PERPETRATORS OF THEFTS IN THE CURRENCY NOTE PRESS, NASIK.

†130. *Mr. Gaya Prasad Singh: (a) With reference to my starred questions No. 1829 of 21st November, 1932, and No. 6(d) of the 5th September, 1932, will Government kindly state how the perpetrator of the thefts in the Currency Note Press, Nasik, was convicted and sentenced by the Court to a term of imprisonment when "thefts are not reported to Magisterial Courts"? Will Government kindly state the name of the Court which passed the orders, and whether the Master received a copy of this judgment? If so, will Government kindly place a copy of this judgment on the table, or in the Library of the House?

(b) Is it not a fact that when thefts of currency notes are discovered, information is given to the Police who try to trace out the culprits and when they are traced they are tried by a court of law for the offence? Will Government kindly state how many such culprits were tried by courts and place copies of the judgments in the Library?

(c) Is it not a fact that while passing orders in a certain case of theft in 1928, the Magistrate adversely commented on the supervision of the Control Supervisor, and recommended departmental action against him? If so, will Government kindly place a copy of this judgment on the table, and state how the Magisterial recommendation was carried out?

SHORTAGE OF FIVE-RUPEE NOTE SHEETS IN THE CURRENCY NOTE PRESS, NASIK.

†131. *Mr. Gaya Prasad Singh: (a) With reference to my starred question No. 1330 (a) of 21st November, 1932, will Government kindly state why the responsibility for the shortage of five-rupee sheets in the Currency Note Press, Nasik, could not be fixed on any particular individual? Was nobody put in charge thereof?

(b) Will Government kindly state why Mr. M. H. Patel's increment was withheld for three months? Is it a fact that five-rupee sheets were found short from his charge? Who else than Mr. Patel could have been responsible for this shortage?

DEPARTMENTAL ACTION TAKEN AGAINST THE SUPERVISORS RETAINED OR RETRENCHED IN THE CURRENCY NOTE PRESS, NASIK.

†132. *Mr. Gaya Prasad Singh: (a) Will Government state with reference to my starred question No. 1832 of 21st November, 1932, if any departmental action was ever taken against any of the supervisors retained in the Currency Note Press, Nasik? If so, against whom, and for what reasons? Is it not a fact that Mr. Mainker's increment was withheld for a certain period?

(b) Will Government kindly state if any departmental action was ever taken against any of the supervisors retrenched and if any of them had unsatisfactory service to his credit? If so, will Government give particulars?

APPOINTMENT OF ADYA GAUD BRAHMINS IN THE CURRENCY NOTE PRESS, NASIK.

†133. *Mr. Gaya Prasad Singh: (a) With reference to my starred question No. 12 of the 5th September, 1932, and question No. 1332 (b) of 21st November, 1932, will Government kindly state how the replies of the two questions could be reconciled, in view of the fact that in reply to the former it has been said that the Chief Supervisor of the Currency Note Press, Nasik, and five assistants come from Ratnagiri district, while in reply to the latter it has been said that he does not hail from Ratnagiri? Will Government kindly state which of the replies is correct?

(b) With reference to my starred question No. 1332 (d) of 21st November, 1932, is it not a fact that four Adya Gaud Brahmin Assistant Supervisors of Ratnagiri district, viz., Messrs. V. B. Khot, A. R. Desai, G. V. Desai and K. R. Zarapkar were appointed after the appointment of the Chief Supervisor in the Press and not only three as stated in the reply thereto? Is it not a fact that another Adya Gaud Brahmin Assistant Supervisor, Mr. M. V. Naik and one Gaud Saraswat Assistant Supervisor Mr. K. N. Kamat of Ratnagiri district were also appointed in the Press after that date, in addition to the one Adya Gaud Brahmin Assistant Supervisor who was already there, viz., Mr. Mainker of Ratnagiri district making the total appointments conferred on Adya Gaud Brahmins six, and Gaud Saraswat one out of the total appointments of 15 Assistant Supervisors?

ASSISTANT SUPERVISORS OF DIFFERENT COMMUNITIES APPOINTED IN THE CURRENCY NOTE PRESS, NASIK.

†134. *Mr. Gaya Prasad Singh: With reference to my starred question No. 1332 (e) of 21st November, 1932, will Government clearly state the numbers of the appointments which were conferred on the members of the different communities out of the total appointments of 15 Assistant Supervisors in the Currency Note Press, Nasik?

SPECIAL QUALIFICATIONS REQUIRED FOR THE POSTS OF THE MASTER AND DEPUTY MASTER OF NASIK PRESSES.

†135. *Mr. Gaya Prasad Singh: With reference to my starred question No. 1334 of 21st November, 1932, will Government state for what particular superior posts Messrs. Kapoor and Das Gupta are being trained, and also state what special qualifications are required for the posts of the Master and the Deputy Master of the Nasik Presses? If no Indian is available at present, when will Indians be taken for being trained for these two particular posts? Why are not arrangements being made to Indianise these two posts after the present incumbents?

EUROPEAN STYLE QUARTERS FOR INDIANS IN THE CURRENCY NOTE PRESS, NASIK.

†136. *Mr. Gaya Prasad Singh: (a) With reference to my starred question No. 1326 of 21st November, 1932, will Government state if an Indian who has been to Europe is considered fit to occupy European style quarters or not? Is it not a fact that Mr. I. M. Das, an officer of the

Photo-Litho Department of the Currency Note Press, Nasik, received his training in Europe? Was he offered European style quarters? If not, why not? Will he now be offered a suitable one?

(b) Is it a fact that Mr. S. K. Bose, an Indian Printing Supervisor, was given special leave to proceed to England to acquire higher knowledge in the art of printing, and he is now England-returned? Was Mr. Bose offered European style quarters after his return from England? If not, why not? Will he now be offered a suitable one?

(c) Will Government kindly state if any of the Indian officers at present occupying European style quarters had ever been to Europe? If not, why were not Messrs. Das and Bose given preference over them in the allotment of European style quarters? Will Government kindly define clearly "Indian style", and "European style"?

(d) Will Government kindly state what rate is charged for water consumed beyond the free supply, and also under what rules this free supply is at all given? What amount can be recovered annually by stopping this free supply of water, and charging for all water consumed at the usual rate? Are Government prepared to consider the desirability of stopping this free supply as a measure of retrenchment and economy? Is it a fact that Government have to purchase every drop of water supplied free?

ALLOTMENT OF RESIDENTIAL QUARTERS IN THE CURRENCY NOTE PRESS, NASIK.

†137. *Mr. Gaya Prasad Singh: (a) With reference to my starred question No. 1336 of the 21st November, 1932, will Government state if the Master of the Nasik Press and other persons paying rent under the rule get 10 per cent. of their pay as compensatory allowance in lieu of quarters? If so, does this not mean that Government do not practically get anything for the costly quarters?

(b) Will Government state why Miss Griffin was not given third grade European style quarters, instead of 2nd grade? Is it a fact that she is getting Rs. 130 p. m.? If 3rd grade quarters cannot suitably house a person living in European style, will Government state why they were built at all? What is the cost of each of the 3rd grade quarters?

(c) Will Government state what is the cost of quarters occupied by an officer drawing a pay similar to the Master in New Delhi? Is it worth Rs. 1 lakh and 12 thousand?

RESULTS OF THE AUDIT OF THE ACCOUNTS OF ARCHITECTS OF NASIK BUILDINGS.

†138. *Mr. Gaya Prasad Singh: (a) Are Government aware that the Auditor-General in his Memorandum No. T.-775-Admn.-356-29, dated 8th July, 1932, on the results of the audit of the accounts of the architects of Nasik buildings has said that the post-audit done by the Accountant General, Bombay, showed that "excesses had been incurred on several sub-works of the estimate which should have received the prior sanction of the Government of India, and that in some cases there had also been apparent extravagances"? If so, will Government please state what those items are on which excesses were incurred and extravagances made, together with the amount sanctioned and amount actually spent?

†For answer to this question, see answer to question No. 127.

(b) Is it not a fact that "in many cases it was impossible to trace measurements and quantities into the bills"? If so, will Government please state through whose negligence these things occurred, and what steps, if any, were taken against him?

(c) Will Government please state why excesses over the already revised estimate and extravagances were at all allowed to be passed, and why those responsible were not made to suffer instead of making the Government to provide for excesses and extravagances? Is it not a fact that excesses and extravagances were made to provide for luxuries which the Government could ill afford?

(d) Is it not a fact that in case of the buildings of the Currency Note Press and the Central Stamp Store also, excesses were incurred without the sanction of the Government of India? Is it not a fact that over-payments were also made to the architects, and the authorities controlling payments did not know that over-payments were actually made? Is it not a fact that in one case an excess payment of Rs. 2,651 was made, and in another Rs. 1,524? What steps, if any, were taken against those through whose carelessness such over-payments occurred?

(e) Is it not a fact that measurement records were also deficient? Are Government satisfied that payments for works actually not done have not been made, and the Government have not sustained any loss in any way? Why could not the whole thing be measured again to the satisfaction of the proper authorities? Are Government satisfied that materials charged for in the bills have been actually used?

TECHNICAL APPRENTICES EMPLOYED IN THE PRESSES AT NASIK.

†139. *Mr. Gaya Prasad Singh: Will Government kindly state the number of technical apprentices now employed in the Presses at Nasik, together with their names, daily wages, and the name of the communities to which they belong? Are not most of them Anglo-Indians?

APPLICATION OF THE FACTORY RULES TO THE CURRENCY NOTE PRESS, NASIK.

†140. *Mr. Gaya Prasad Singh: (a) Are the Presses at Nasik governed by Factory Rules, and subject to inspection by Factory Inspectors?

(b) How many persons are intended to be accommodated, and how many persons are actually accommodated in the Currency Note Press? What is the floor-area of the Press? Of what material is the roof of the Press made? How does this material help to diminish or to add to the heat inside the press during the hot summer days?

(c) What are the arrangements for ventilation inside the Currency Note Press? Are the arrangements for ventilation adequate, and have they been testified to be so by the Factory Inspectors? If so, will a copy of the relevant portion of the inspection report be laid on the table? If not, do Government propose to have the ventilation arrangements approved of and testified to by a Factory Inspector?

(d) Is it not a fact that in such a big building, only about two dozen small holes at a height of about two feet from the ground level and narrow streaks of opening in the sky lights have been provided for ventilation for a

†For answer to this question, see answer to question No. 127.

large number of men working inside? If so, do Government consider that such an arrangement will be sufficient and would meet the requirements of the men working inside?

(e) Are Government aware that such arrangement for ventilation is keenly suffered in the hot summer days, specially as the roof of the Press is made of thin corrugated asbestos sheets?

LEASE OF THE BOMBAY, BARODA AND CENTRAL INDIA RAILWAY.

141. ***Mr. Gaya Prasad Singh:** Will Government kindly state when the lease of the Bombay, Baroda and Central India Railway last expired, and whether any extension was given to the Company, and for how long?

Mr. P. E. Rau: The contract of the Bombay, Baroda and Central India Railway Company originally provided for its determination at the end of 1930 or any succeeding fifth year. A supplemental agreement was entered into in 1918 by which this provision was cancelled and the contract was made determinable at the end of 1941 or any succeeding fifth year.

LEASE OF THE BENGAL NAGPUR RAILWAY.

142. ***Mr. Gaya Prasad Singh:** Will Government kindly state whether any extension was given to the lease of the Bengal Nagpur Railway? If so, when; and when will its term expire?

Mr. P. E. Rau: The contract of the Bengal Nagpur Railway Company was extended in 1912. It is now terminable at the end of 1950 or of any succeeding fifth year.

TAKING OVER BY GOVERNMENT OF THE BENGAL AND NORTH WESTERN RAILWAY.

143. ***Mr. Gaya Prasad Singh:** When do Government propose to take over the Bengal and North Western Railway?

Mr. P. E. Rau: Under the terms of the contract, which was recently entered into with the Bengal and North Western Railway, Government has the option of purchasing the Company's railway on the 31st December, 1937, or the 31st December, 1942, on giving 12 calendar months' previous notice in writing. The earliest date on which notice can be given is therefore nearly 4 years hence.

Mr. K. Ahmed: What is the attitude of the Government towards purchasing this Company-managed Railway?

Mr. P. E. Rau: It is a little premature to think of a situation that may arise four years hence. The present contract was entered into on the advice of a Select Committee of this House.

Dr. Ziauddin Ahmad: Is it not possible to give notice earlier than 1937?

Mr. P. E. Rau: No.

Mr. N. M. Joshi: May I ask why Government did not purchase this Railway especially when money is cheap now?

Mr. P. R. Rau: It was not cheap at the time when the contract fell due.

Mr. K. Ahmed: May I ask what is the proportion of the shares of Government in this Company-managed Railway?

Mr. P. R. Rau: Government do not hold any shares in this Railway.

Mr. K. Ahmed: What is the proportion of shares held by various private people?

Mr. P. R. Rau: All the shares are held by private people.

Mr. K. Ahmed: What is the proportion of Government peoples' shares?

Mr. P. R. Rau: So far as I am aware, Government do not hold any shares in the Bengal and North Western Railway.

Mr. K. Ahmed: What is the proportion of the shares held by Indians?

Mr. P. R. Rau: I am afraid I have no information on that point.

Mr. K. Ahmed: Will Government be pleased to make inquiries and lay a reply on the table, so that Members may be in a position to know how the matter stands?

Mr. P. R. Rau: The Company is incorporated in England and the information is not available here.

Dr. Ziauddin Ahmad: Is not the list of share-holders available?

Mr. P. R. Rau: Not in India, so far as I am aware.

Mr. S. O. Mitra: May I take it that there has been no reversal of policy as regards the State-management of Railways?

Mr. P. R. Rau: As I have already explained, this action with regard to the Bengal and North Western Railway was taken on the advice of a Select Committee of this House.

Mr. Lalchand Navalrai: Will the Honourable Member say whether there is a right in either party to waive the notice earlier.

Mr. P. R. Rau: The contract provides that Government have the option of purchasing the Railway on the 31st December, 1937, or five years later. There is no other option.

Mr. Lalchand Navalrai: Can not the Government negotiate with them to take it up earlier?

Mr. P. R. Rau: If the Company agrees.

RACIAL DISCRIMINATION IN THE ISSUE OF PASSES TO THE TEACHING STAFF OF THE EAST INDIAN RAILWAY HIGH SCHOOLS.

144. ***Mr. Gaya Prasad Singh:** (a) Is it a fact that the East Indian Railway maintains a big school for the Europeans at Mussoorie, called the Oakgrove School, and that the Principal, Head Master, and three Assistants are allowed first class passes?

(b) Is it a fact that the East Indian Railway maintains five High Schools for Indians, of the same standard as the Oakgrove School, and that the Head Masters of these five High Schools have better scales of pay than the three Assistants of the Oakgrove School, but the Indian Head Masters are allowed only second class passes? If so, why? When do Government propose to remove this racial discrimination?

(c) What are the scales of pay of the staff of the Oakgrove School, and of the other five schools?

Mr. P. R. Rau: (a) Yes.

(b) and (c). The East Indian Railway maintains five High Schools for Indians. Oakgrove School is a High School for both boys and girls, but it differs from the Indian High Schools in being entirely a boarding school. The scales of pay of the teaching staff of the Oakgrove School and the staff of the five Indian High Schools are different and I place on the table a statement giving the relevant figures, but I must add that the scales are not directly comparable as the teaching staff of Oakgrove School are given board and lodging free. I understand the present staff of Oakgrove School have enjoyed first class passes since their appointment in the days when the East Indian Railway was under Company management. These first class passes are therefore treated as personal to them and not necessarily admissible to their successors.

Statement showing the scales of pay of teaching staff.

Indian High Schools.

Araucol—Rs. 250—250—300—40/2—500—50/2—800, efficiency bars at Rs 460 and Rs. 650.

Sahibganj, Jemalpur and Dinapore,—Rs. 250—40/2—450—50/2—550.

Tundla—Rs. 250—50/2—300—25—675. Selection grade Rs. 700—50—800 re scale for the present incumbent being untrained is Rs. 250—15—350—25—650.

Oakgrove School, Mussoorie.

Head Master, Boys' School—Rs. 475—25—500 plus Rs. 50 overseas allowance.

First Assistant Master—Rs. 300—25—425 plus overseas allowance Rs. 50.

Head Mistress, Girls' School—Rs. 250—25—350 plus overseas allowance Rs. 50.

Head Mistress, Junior School—Rs. 250—25—350.

Dr. Ziauddin Ahmad: May I ask whether the Railway Department has got any definite rule corresponding to the rules in the other departments saying that persons drawing certain salaries are entitled in first class, and so on.

Mr. P. R. Rau: Yes, there are definite rules on the subject.

Dr. Ziauddin Ahmad: Are these rules the same as in other departments?

Mr. P. B. Rau: The question does not arise in other departments, because employees in other departments are not allowed passes.

Dr. Ziauddin Ahmad: They should be allowed passes in the particular class for which they are entitled according to salary, and, if so, are the rules the same as in other departments?

Mr. P. B. Rau: Not necessarily. I believe there is some difference.

Dr. Ziauddin Ahmad: The Railway Department always claimed that their cut in salaries should be the same as the cut in the other departments, in spite of the fact that it is a losing concern, but, in the matter of privileges, they want to have their own rules. Is it consistent? Can they have both ways?

Mr. P. B. Rau: As my Honourable friend knows, the cut is not the same as in other departments.

Dr. Ziauddin Ahmad: The Honourable Sir George Rainy on the floor of the House clearly said that he would not agree to any cut in the Railway Department which was different from the cut applicable to other departments, and is it not desirable that, in the matter of concessions in travelling, they should have the same concession as is given in other departments.

Mr. P. B. Rau: I suggest that as this question might lead to a debate, it could be more definitely taken up during the Railway Budget discussion.

Mr. S. C. Mitra: Is it not a fact that railway officials are considered as a privileged class so far as passes as regards Government servants generally are concerned?

Mr. P. B. Rau: I believe it is the practice in all railways that I am aware of that railway staff are given certain concessions with regard to travelling.

Dr. Ziauddin Ahmad: Is it not a fact that the Honourable Member for Railways refused to allow the Superintendents of Post Offices first class fare simply on the ground that the people drawing the same salary in other departments were not allowed first class? Will he apply that strictly to the railways as well?

The Honourable Sir Joseph Bhoré: I am not quite clear whether the Honourable Member was referring to me or to the Industries and Labour Member?

Dr. Ziauddin Ahmad: I refer to the Honourable Member in charge of the Railway Department. When he was in charge of the post offices, he said on the floor of the House that the Superintendents of Post Offices should not be allowed first class passes on the ground that their salaries did not justify it, though their position was very important. Would he apply the same principle now to the railways?

The Honourable Sir Joseph Bhore: I am not acquainted with the details of this case. I do not know what concessions are given to what officers, but I shall certainly look into this matter. I cannot commit myself to following any particular principle and I cannot tie myself down to follow the principle mentioned by my Honourable friend, but I will look into the matter.

Dr. Ziauddin Ahmad: Thank you very much.

Mr. C. S. Banga Iyer: Will Government be pleased to consider the advisability of abolishing these passes and the substitution thereof of something of the nature of travelling allowances?

The Honourable Sir Joseph Bhore: Well, Sir, that raises a rather important question, and my Honourable friend must realize that I cannot give a reply straight off on the spur of the moment in a matter which raises a very important question.

Mr. Gaya Prasad Singh: Is it not a fact that the standard of all these five Indian schools is equal to that of the Oakgrove School?

Mr. P. B. Rau: I believe the educational standard is the same, but there is a difference in the character of the schools—the Oakgrove School is a boarding school.

Mr. Gaya Prasad Singh: May I know if a gentleman by name Mr. Smith probably was asked to look into the matter of the transfer of the five Indian schools to private interests, but that they have excluded from the purview of their inquiry the status of the schools?

Mr. P. B. Rau: That subject comes on later in the subsequent answers and I would ask my Honourable friend to wait for my reply.

UNEMPLOYMENT PROBLEM IN INDIA.

145. *Pandit Satyendra Nath Sen: (a) Has the question of unemployment been engaging the attention of Government?

(b) If so, have they been able to evolve any scheme of remedy?

(c) If the answer to part (b) is in the negative, do Government propose to appoint a committee for considering the question?

(d) If not, why not?

The Honourable Sir Frank Noyce: (a) and (b). The question has engaged a considerable amount of attention from Local Governments, whom it primarily concerns, and proposals for alleviating unemployment have been evolved by committees appointed by several provincial Governments.

(c) and (d). Do not arise.

STANDARDS OF FILM CENSORSHIP.

146. *Pandit Satyendra Nath Sen: (a) What is the standard for deciding the 'moral tone' of a film?

(b) Are Government aware that the European and Indian standards of morality differ materially in some matters such as kissing, etc.?

(c) In deciding the moral tone, do the Film Censor Committee attach equal weight to the two standards?

(d) Do the Committee take into consideration only the story of the film, or the dresses in which the actors and actresses, specially the latter, appear and the manner in which they play their respective parts as well?

The Honourable Sir Harry Haig: I would refer the Honourable Member to paragraphs 241 to 243, 246 and 252 of the Report of the Indian Cinematograph Committee which deal with this question and to the canons of Censorship which are set out in Appendix G to that Report. These principles are taken into consideration by the Censorship Boards, which include both Europeans and Indians.

SELECTION OF INDIANS FOR THE JOINT PARLIAMENTARY COMMITTEE ON THE NEW CONSTITUTION FOR INDIA.

147 *Mr. Lalchand Navalrai: (a) Will Government be pleased to state when the papers regarding the new constitution for India will be placed before the Joint Parliamentary Committee?

(b) What will be the procedure for selection of the Indians to sit in the deliberations with the Joint Parliamentary Committee?

(c) Will such Indian members have a right to vote in the Joint Parliamentary Committee?

The Honourable Sir Brojendra Mitter: (a) and (b). These are matters for His Majesty's Government and the Government of India are unable to give any information at present.

(c) I would refer the Honourable Member to the statement made by the Secretary of State in the House of Commons on the 27th June, 1932, to which there is at present nothing to add.

Mr. Lalchand Navalrai: Will the Honourable Member be pleased to state if Government have got any idea as to how the Members are to be selected or elected from the Assembly?

The Honourable Sir Brojendra Mitter: No, Sir.

Mr. K. Ahmed: May I ask how it is then that His Excellency the Viceroy made a statement on the opening day of the Assembly that it was quite certain that some Members of the Legislature would be taken in and would participate in the deliberations of the Joint Committee of both the Houses in England?

An Honourable Member: Not you.

Mr. K. Ahmed: Well, it does not pay me even a quarter of it. But how they will take part in the discussions while this Bill will be under consideration in the Joint Committee of Members of the both Houses of Parliament? Will they be elected or nominated?

The Honourable Sir Brojendra Mitter: That question does not arise.

Mr. N. N. Anklesaria: Have Government made any proposals in this connection to the British Government?

The Honourable Sir Brojendra Mitter: Not that I am aware of.

Mr. Lalchand Navalrai: Why is not the Honourable Member in a position to know it?

The Honourable Sir Brojendra Mitter: This is a matter which does not directly concern the Government of India. It is for His Majesty's Government, and what decision His Majesty's Government may take in the matter is not known.

Mr. Lalchand Navalrai: We take it that the Government of India are always consulted in matters like this beforehand, and the question is whether the Government of India have been consulted.

The Honourable Sir Brojendra Mitter: So far as I am aware, the Government of India have not been consulted.

INTRODUCTION OF THE NEW CONSTITUTION IN THE PROVINCES AND IN THE CENTRAL GOVERNMENT.

148. ***Mr. Lalchand Navalrai:** (a) Will Government be pleased to state when the new constitution will be actually introduced in the Provinces and the Central Government in India respectively?

(b) When will the new general elections take place in the Provinces and for the Central Government in India respectively?

The Honourable Sir Brojendra Mitter: (a) and (b). It is not yet possible to give any definite dates, but I would refer the Honourable Member to the statement made by the Secretary of State at the close of the third Session of the Indian Round Table Conference which is contained in the proceedings of the Conference already supplied to Honourable Members.

Mr. Lalchand Navalrai: Will the Honourable Member be pleased to reply more fully to part (b) of the question with regard to the new general elections?

The Honourable Sir Brojendra Mitter: That matter is still under consideration.

Mr. Lalchand Navalrai: Can there be any idea given of the probable date so that the Assembly Members may know it? It is of great importance to them.

The Honourable Sir Brojendra Mitter: No, Sir.

RELEASE OF MR. GANDHI AND OTHER POLITICAL PRISONERS.

149. ***Mr. Lalchand Navalrai:** (a) Will Government be pleased to state how many political prisoners convicted and detained for Civil Disobedience are at present confined in jails in India?

(b) When do Government propose to release Mahatma Gandhi and the other aforesaid prisoners in order to restore peace and order in India?

The Honourable Sir Harry Haig: (a) The number of persons convicted in connection with civil disobedience who were in jail on the 31st December, 1932, the latest date for which figures are available, was 14,815.

(b) Government do not see any reason to modify their policy.

Mr. Lalchand Navarai: Will the Honourable Member be pleased to state whether, now that Mahatma Gandhi has got all his attention and energies concentrated on the temple entry question, there will be any objection, in order to secure the restoration of peace and to carry on good Government, to consulting Mahatma Gandhi and doing something in the way suggested in this question?

The Honourable Sir Harry Haig: I do not quite understand what my Honourable friend means about consulting Mr. Gandhi. I think Mr. Gandhi is very fully aware of the position of the Government.

Mr. N. N. Anklesaria: Do Government admit the implication contained in part (b) of the question that the release of Mahatma Gandhi will restore peace and order in India?

The Honourable Sir Harry Haig: I should certainly not be prepared to accept that suggestion, Sir, unless it were accompanied by a clear repudiation of the policy of civil disobedience.

POSTS OF CLERKS AND ASSISTANT INCOME-TAX OFFICERS IN THE NORTHERN RANGE OF THE MADRAS PRESIDENCY.

150. ***Mr. B. N. Misra:** Will Government be pleased to state:

- (a) the number of clerks' and Assistant Income-tax officers' posts newly created for the Northern Range in the Madras Presidency from December, 1931, after reducing the taxable limit to Rs. 1,000 in each of the Districts;
- (b) the number of Oriya clerks and Income-tax officers in each of the districts of Ganjam and Vizagapatam where there are Oriya assesses;
- (c) the proportion of Oriya hands to Telugus in each of these two Districts in both the cadres;
- (d) the reason why Oriya hands have not been taken as Assistant Income-tax officers either by promotion or by direct recruitment; and
- (e) the action proposed to be taken in recruiting Oriya hands to check the accounts, etc., to allay the difficulties of the Oriya Assesseees?

The Honourable Sir George Schuster: (a) to (e). The information is being obtained and will be laid on the table on receipt.

SEPARATE PROVINCES FOR SIND AND ORISSA.

151. ***Mr. B. N. Mishra:** Will Government be pleased to state:

- (a) whether they have received any communication from the Secretary of State intimating the declaration of His Majesty's Government regarding the creation of separate provinces for Sindh and Orissa;
- (b) whether they will be pleased to lay the said communication on the table;
- (c) whether the same has been considered by His Excellency the Governor General in Council;
- (d) the date when Government propose to issue the notification under section 60 of the Government of India Act of 1919 in each of the above cases;
- (e) what further steps are proposed to be undertaken before the close of March, 1938, to give effect to the said declaration; and
- (f) whether they will be pleased to lay on the table any correspondence they had with the Governments of Madras and Bihar and Orissa after the said declaration?

The Honourable Sir Brojendra Mitter: (a) to (f). I invite the Honourable Member's attention to the Secretary of State's statement made on the subject at the conclusion of the last Round Table Conference. I have at present nothing to add to that statement.

**WATER-LOGGED BOMBAY, BARODA AND CENTRAL INDIA RAILWAY
EMBANKMENT IN THE DISTRICT OF BROACH.**

152. ***Mr. M. Maswood Ahmad** (on behalf of Nawab Naharsingji Ishwarsingji): (a) Are Government aware of the fact that all the land of villages Andada, Chhapra and Samor of District Broach lying to the east of the railway embankment remains water-logged for the greater part of the monsoon season and for months thereafter on account of the embankment of the N. E. main line of the Bombay, Baroda and Central India Railway at miles 201 and 202 acting as a dam and that very great damage is caused to the arable land of these villages and to the villagers' interest?

(b) Will Government be further pleased to state whether it is a fact that there were three culverts on this section of the Railway but these were closed down later and that the approach channels to each of these culverts are still existing, but they serve no useful purpose on account of the closure of these culverts and on account of the construction of various cross-bunds by the Railway Company to the east of and perpendicular to the railway embankment in this section?

(c) Are Government prepared to issue necessary orders to the railway authorities concerned to take very early steps to remove the aforesaid difficulties of the above villages?

Mr. P. R. Rau: Government have no information, but are sending a copy of the question to the Agent, Bombay, Baroda and Central India Railway, for any action that he may consider necessary.

EXTENSION OF THE AGE-LIMIT OF CANDIDATES FOR ADMISSION TO THE INDIAN SERVICE OF ENGINEERS' COMPETITIVE EXAMINATION HELD IN INDIA BY THE PUBLIC SERVICE COMMISSION.

153. ***Mr. M. Maswood Ahmad** (on behalf of Nawab Naharsingji Ishwarsingji): (a) Are Government aware that the age limit of candidates for admission to the Indian Service of Engineers' competitive examination held in India by the Public Service Commission was relaxed by the Government of India in 1929?

(b) Are Government aware that the aforesaid examination was not held in 1932 by the Public Service Commission?

(c) If the answers to parts (a) and (b) are in the affirmative, are Government prepared to extend the age limit for admission to the said examination in order to give a fair chance to those candidates who could not get an opportunity to compete because it was not held last year?

The Honourable Sir Frank Noyce: (a) Yes. The condition as to age limit was relaxed only in respect of the examination which was held in 1930 in the case of Indian students who had undergone a course of Engineering outside India and who had not attained the age of 26 years on the 1st August, 1929.

(b) Yes.

(c) The question does not arise at present as further recruitment to the Service has been suspended pending a decision on the recommendation of the Services Sub-Committee of the Indian Round Table Conference that the Irrigation Branch of the Service should be provincialised.

INCONVENIENCE CAUSED TO THE PUBLIC BY THE CLOSING OF THE TRAIN SERVICE FROM BHAPTIAHI TO RAGHOPUR ON THE BENGAL AND NORTH WESTERN RAILWAY.

154. ***Kumar Gupteshwar Prasad Singh** (on behalf of Mr. Bhuput Sing): (a) Will Government be pleased to state whether they are aware that great inconvenience is being caused to the public by the closing of train service from Bhaptiahi to Raghapur on the Bengal and North Western Railway in North Bhagalpur since the last ten years?

(b) Is it a fact that the Kosi has shifted its course and now there is no danger if the line be reinstated? Is it a fact that the primary cause for which the line was removed has passed away?

(c) Has there been any correspondence between Government and the Agent of the Bengal and North Western Railway on the subject of re-opening the line? If so, what?

(d) What is the general policy of Government on the matter?

Mr. P. R. Rau: I have called for information and will place a reply on the table in due course.

ATTACHMENT OF GOODS WAGONS WITH PASSENGER TRAINS ON THE BHAGALPUR-BARARI GHAT BRANCH OF THE BENGAL AND NORTH WESTERN RAILWAY.

155. ***Mr. Bhuput Sing:** (a) Will Government be pleased to state whether they are aware that in Bhagalpur-Barari Ghat Branch of the Bengal and North Western Railway, goods wagons are attached in the front in

morning trains, so that trains with passengers are made to stand near the goods godown for half an hour in order to detach the front portion, which causes unnecessary delay to passengers in reaching Bhagalpur station?

(b) If so, are Government prepared to ascertain from the Agent why goods trains are attached with passenger trains instead of each being carried separately by different engines? If such attachment be absolutely indispensable, what is the objection to attaching the goods wagons in the back portion instead of in the front of passenger trains?

(c) Why is there no arrangement for attaching to and detaching from trains on the station platform?

Mr. P. B. Rau: (a) Government are informed that goods wagons are attached to all trains on the Bhagalpur-Barari Ghat Branch of the Bengal and North Western Railway, but that the statement that the morning train is detained for shunting at the goods station for half an hour before reaching Bhagalpur (Kacheri) station is incorrect.

(b) The traffic on this branch is not sufficient to justify the running of separate passenger and goods trains. Goods wagons are usually attached in front to facilitate shunting and in the interests of safety.

(c) It is presumed the Honourable Member wishes to know why goods wagons cannot be detached at Bhagalpur (Kacheri) passenger station and subsequently shunted to the goods station which is half a mile away. I am sending a copy of the question together with its reply to the Agent, Bengal and North Western Railway, to enable him to take any steps which may be practicable and which he may consider necessary to remove the alleged grievance complained of.

TIME AND PLACE OF HOLDING OFFICES BY THE INCOME-TAX OFFICERS.

156. ***Mr. Bhuput Sing:** (a) Are Government aware that it has become the practice with Income-tax Officers to hold offices on holidays and important festivals and after court hours much to the inconvenience of assesseees?

(b) Are any time limits fixed for holding offices or not?

(c) What is the aim and purpose of the tours which the Income-tax Officers make in the interior? Is it intended that the assesseees may not bring lawyers to represent them at the hearing by holding offices in the mofussil?

(d) Is it a fact that in some cases, the mofussil offices are held on tour at such places which are at a greater distance from the residences of the assesseees than the Sudder?

(e) Are there any definite rules and instructions by the Central Board of Revenue in the matter? If not, are Government prepared to ask the Board to issue rules and instructions to all Commissioners asking them to see that the convenience of the assesseees is considered as the prime factor in deciding the time and place of holding offices?

The Honourable Sir George Schuster: (a) Government have no information but it is possible that in order not to detain assesseees, an Income-tax Officer may have worked after office hours or on holidays. Assesseees always want to be relieved as early as possible and for the sake of their convenience, an officer might have worked thus.

(b) Yes.

(c) The aim and purpose of the tours are to make assessments as near the place of residence of assessee as possible. The answer to the latter part of the question is in the negative.

(d) Government have no information but attention is invited to the instructions issued by the Central Board of Revenue in this connection.

(e) A copy of the instructions issued by the Central Board of Revenue is laid on the table.

CIRCULAR BY THE GOVERNMENT OF INDIA, CENTRAL BOARD OF REVENUE, No. 4171, DATED SIMLA, THE 10TH SEPTEMBER, 1924, TO ALL COMMISSIONERS OF INCOME-TAX.

Appeals—Assistant Commissioner—Place of hearing.

As regards the question whether it was necessary for an Assistant Commissioner to tour in the several districts under his charge for the purpose of disposing of appeals in the districts in which the respective appellants resided, the Central Board of Revenue considers that in regard to this matter the convenience of the appellant should be consulted as far as possible. It may be that an appellant would prefer to have his appeal heard at the headquarters of the Assistant Commissioner, owing perhaps to the fact that he would be able to secure better legal assistance there. If so, the Assistant Commissioner should hear the appeal, if possible, at his own headquarters. If, on the other hand, the appellant prefers that an appeal should be heard at some place in his own district where it is convenient for the Assistant Commissioner to camp, and if undue delay or congestion of business will not be caused by the Assistant Commissioner's arranging to hear the appeal at such place, the Assistant Commissioner should meet the appellant's wishes.

CIRCULAR BY THE GOVERNMENT OF INDIA, CENTRAL BOARD OF REVENUE, No. 4172, DATED SIMLA, THE 10TH SEPTEMBER, 1924, TO ALL COMMISSIONERS OF INCOME-TAX.

Touring—General principles regarding arrangement of Tours.

In regard to touring the following principles should be kept in view by all officers of the Department in order to minimise the inconvenience that may be caused to appellants or their representatives :

- (1) Tours should be planned so as to include halts of reasonable length at convenient centres, and as far as possible cases should be posted at such centres;
- (2) As far as possible, tours should be conducted leisurely. Tours should not be unduly hurried and halts should be made at places where strangers can find accommodation and other conveniences;
- (3) Every endeavour should be made to publish tour programmes so that an officer's daily movements, while on tour, may be known to all concerned. No more work, whether it be revisional or appellate or assessment work, including the examination of accounts, should be posted to any one place or date than is reasonably likely to be disposed of, and sufficient time should be allowed for each item of work.
- (4) Officers should make every endeavour to avoid dragging people after them from place to place.

ALLEGATIONS OF LATHI-CHARGE ON DETENUS IN THE DEOLI DETENTION CAMP.

157. *Mr. Bhuput Sing: (a) Will Government be pleased to state whether their attention has been drawn to the news published in the *Advanc* of 3rd January, 1932, under the heading "General lathi-charge on detenues" regarding what happened in Deoli Detention Camp?

(b) Is it a fact that it has contradicted the statement of the Honourable the Home Member made in the Legislative Assembly in the last Session as incorrect and misleading?

(c) What reply have Government published as a rejoinder to it? If not, why not?

The Honourable Sir Harry Haig: (a) Government have seen the statement.

(b) and (c). As I stated in answer to Mr. S. C. Mitra's short notice question on the 1st December last, the Government are satisfied that the facts are as given by me, and no further action is necessary.

MUSLIM SUBORDINATE STAFF, EXCLUDING ACCOUNTS OFFICES, ON THE EAST INDIAN RAILWAY.

†158. ***Mr. M. Maswood Ahmad:** (a) Is it a fact that the total subordinate staff, excluding those in the accounts offices, employed on the East Indian Railway on the 31st March, 1931, was 21,377?

(b) Is it a fact that the communal composition of the subordinate staff on the East Indian Railway on the 31st March, 1931, was:

Hindus 14,886 in number, 67·3 per cent.

Muslims 3,735 in number, 17·47 per cent.

Europeans *cum* Anglo-Indians 2,950, 13·80 per cent.

Indian Christians 182 in number, ·85 per cent.

Others 124 in number, ·58 per cent.?

(c) Will Government be pleased to state the communal composition of the subordinate staff, excluding those in the accounts offices, on the East Indian Railway on the 31st March, 1932, according to the schedule mentioned in part (b)?

(d) What action do Government propose to take so that Muslims may get their due share of the posts mentioned in part (a)?

EMPLOYMENT OF MUSLIMS IN THE CLERICAL POSTS, EXCLUDING ACCOUNT OFFICES, ON THE EAST INDIAN RAILWAY.

†159. ***Mr. M. Maswood Ahmad:** (a) Is it a fact that the total number of clerical posts, excluding those in the accounts offices, on the East Indian Railway on the 31st March, 1931, was 5,171?

(b) Is it a fact that the communal composition of the clerical staff on the East Indian Railway on the 31st March, 1931, was:

Hindus 4,456 in number, 86·17 per cent.

Muslims 506 in number, 9·79 per cent.

Europeans *cum* Anglo-Indians 154 in number, 2·98 per cent.

Indian Christians 47 in number, ·91 per cent.

Others 8 in number, ·15 per cent.?

†For answer to this question, see answer to question No. 20.

(c) Will Government be pleased to state the communal composition of the clerical staff, excluding those in the accounts offices, on the East Indian Railway on the 31st March, 1982, according to the schedule mentioned in part (b)?

(d) What action do Government propose to take so that Muslims may get their due share of the posts, mentioned in part (a)?

EMPLOYMENT OF MUSLIMS IN THE CLERICAL POSTS, EXCLUDING ACCOUNTS OFFICES, ON THE EAST INDIAN RAILWAY.

†160. ***Mr. M. Maswood Ahmad:** (a) Is it a fact that the total number of clerical posts on a scale of pay of Rs. 150 or more (excluding accounts offices) on the East Indian Railway on the 31st March, 1981, was 220?

(b) Is it a fact that the communal composition of the clerical staff, excluding those in accounts offices, on a minimum pay of Rs. 150 or more on the East Indian Railway on the 31st March, 1981, was:

Hindus 141 in number, 64.09 per cent.

Muslims 6 in number, 2.72 per cent.

Europeans *cum* Anglo-Indians 72 in number, 82.78 per cent.

Indian Christians 1 in number, .46 per cent.?

(c) Will Government be pleased to state the communal composition of the clerical staff, excluding those in the accounts offices, on a scale of pay of Rs. 150 or more on the East Indian Railway on the 31st March, 1982, according to the schedule mentioned in part (b)?

(d) What action do Government propose to take so that Muslims may get their due share of the posts, mentioned in part (a)?

EMPLOYMENT OF MUSLIMS IN THE TRANSPORTATION DEPARTMENT (TRAFFIC) OF THE EAST INDIAN RAILWAY.

†161. ***Mr. M. Maswood Ahmad:** (a) Is it a fact that the total Transportation (Traffic) staff employed on the 31st March, 1981, in the East Indian Railway was 6,095?

(b) Is it a fact that the communal composition of the Transportation (Traffic) staff on the East Indian Railway on the 31st March, 1981, was:

Hindus 4,861 in number, 71.55 per cent.

Muslims 781 in number, 12.81 per cent.

Europeans *cum* Anglo-Indians 902 in number, 14.80 per cent.

Indian Christians 84 in number, .56 per cent.

Others 17 in number, .28 per cent.?

(c) Will Government be pleased to state the communal composition of the Transportation (Traffic) staff on the East Indian Railway on the 31st March, 1982, according to the schedule mentioned in part (b)?

(d) What action do Government propose to take so that Muslims may get their due share of the posts mentioned in part (a)?

**EMPLOYMENT OF MUSLIMS IN THE TRANSPORTATION DEPARTMENT
(TRAFFIC) OF THE EAST INDIAN RAILWAY.**

†162. *Mr. M. Maswood Ahmad: (a) Is it a fact that the total Transportation (Traffic) staff on a scale of pay of Rs. 150 or more employed on the East Indian Railway on the 31st March, 1931, was 847?

(b) Is it a fact that the communal composition of the Transportation (Traffic) staff on a minimum pay of Rs. 150 or more on the East Indian Railway on the 31st March, 1931, was:-

Hindus 40 in number, 11.53 per cent.

Muslims 7 in number, 2.01 per cent.

Europeans *cum* Anglo-Indians 298 in number, 85.88 per cent.

Indian Christians, Nil.

Others 2 in number, .58 per cent.?

(c) Will Government be pleased to state the communal composition of the Transportation (Traffic) staff on a scale of pay of Rs. 150 or more employed on the East Indian Railway on the 31st March, 1932, according to the schedule mentioned in part (b)?

(d) What action do Government propose to take so that Muslims may get their due share of the posts mentioned in part (a)?

**EMPLOYMENT OF MUSLIMS IN THE COMMERCIAL DEPARTMENT OF THE
EAST INDIAN RAILWAY.**

†163. *Mr. M. Maswood Ahmad: (a) Is it a fact that the number of total posts in Commercial Department on the East Indian Railway on the 31st March, 1931, was 4,661?

(b) Is it a fact that the communal composition of the Commercial Department staff on the East Indian Railway on the 31st March, 1931, was:

Hindus 3,524 in number, 75.61 per cent.

Muslims 840 in number, 18.02 per cent.

Europeans *cum* Anglo-Indians 228 in number, 4.89 per cent.

Indian Christians 32 in number, .69 per cent.

Others 37 in number, .79 per cent.

(c) Will Government be pleased to state the communal composition of the Commercial Department staff on the East Indian Railway on the 31st March, 1932, according to the schedule mentioned in part (b).

(d) What action do Government propose to take so that Muslims may get their due share of the posts mentioned in part (a)?

**EMPLOYMENT OF MUSLIMS IN THE COMMERCIAL DEPARTMENT OF THE EAST
INDIAN RAILWAY.**

†164. *Mr. M. Maswood Ahmad: (a) Is it a fact that the total Commercial Department staff on a scale of Rs. 150 or more employed on the East Indian Railway on the 31st March, 1931, was 116?

†For answer to this question, see answer to question No. 20.

(b) Is it a fact that the communal composition of the Commercial Department staff on a minimum pay of Rs. 150 or more on the East Indian Railway on the 31st March, 1931, was:

Hindus 39 in number, 33.62 per cent.

Muslims 14 in number, 12.07 per cent.

Europeans *cum* Anglo-Indians 60 in number, 51.72 per cent.

Indian Christians 1 in number, .86 per cent.

Others 2 in number, 1.73 per cent.?

(c) Will Government be pleased to state the communal composition of the Commercial Department staff on the East Indian Railway on the 31st March, 1932, according to the schedule mentioned in part (b).

(d) What action do Government propose to take so that Muslims may get their due share of the posts mentioned in part (a)?

**EMPLOYMENT OF MUSLIMS IN THE TRANSPORTATION DEPARTMENT
(POWER) OF THE EAST INDIAN RAILWAY.**

†165. *Mr. M. Maswood Ahmad: (a) Is it a fact that the total Transportation (Power) Department staff employed on the East Indian Railway on the 31st March, 1931, was 2,718?

(b) Is it a fact that the communal composition of the Transportation (Power) Department staff on the East Indian Railway on the 31st March, 1931, was:

Hindus 752 in number, 27.67 per cent.

Muslims 1,216 in number, 44.74 per cent.

Europeans *cum* Anglo-Indians 719 in number, 26.45 per cent.

Indian Christians 22 in number, .81 per cent.

Others 9 in number, .33 per cent.?

(c) Will Government be pleased to state the communal composition of the Transportation (Power) Department staff on the East Indian Railway on the 31st March, 1932, according to the schedule mentioned in part (b).

(d) What action do Government propose to take so that Muslims may get their due share of the posts mentioned in part (a)?

**EMPLOYMENT OF MUSLIMS IN THE TRANSPORTATION DEPARTMENT
(POWER) OF THE EAST INDIAN RAILWAY.**

†166. *Mr. M. Maswood Ahmad: (a) Is it a fact that the total Transportation (Power) Department staff on a scale of pay of Rs. 150 or more employed on the East Indian Railway on the 31st March, 1931, was 455?

(b) Is it a fact that the communal composition of the Transportation (Power) Department staff on a minimum pay of Rs. 150 or more on the East Indian Railway on the 31st March, 1931, was:

Hindus Nil.

Muslims Nil.

Europeans *cum* Anglo-Indians 452 in number, 99.27 per cent.

Indian Christians Nil.

Others 3 in number?

(c) Will Government be pleased to state the communal composition of the Transportation (Power) Department staff on the East Indian Railway on the 31st March, 1932, according to the schedule mentioned in part (b)?

(d) What action do Government propose to take so that Muslims may get their due share of the posts mentioned in part (a)?

EMPLOYMENT OF MUSLIMS IN THE CARRIAGE DEPARTMENT OF THE EAST INDIAN RAILWAY.

†167. *Mr. M. Maswood Ahmad: (a) Is it a fact that the total Carriage Department staff employed on the East Indian Railway on the 31st March, 1931, was 863?

(b) Is it a fact that the communal composition of the Carriage Department staff on the East Indian Railway on the 31st March, 1931, was:

Hindus 540 in number, 62.57 per cent.

Muslims 218 in number, 25.26 per cent.

Europeans cum Anglo-Indians 67 in number, 7.77 per cent.

Indian Christians 21 in number, 2.43 per cent.

Others 17 in number, 1.97 per cent.?

(c) Will Government be pleased to state the communal composition of the Carriage Department staff on the East Indian Railway on the 31st March, 1932, according to the schedule mentioned in part (b)?

(d) What action do Government propose to take so that Muslims may get their due share of the posts mentioned in part (a)?

EMPLOYMENT OF MUSLIMS IN THE CARRIAGE DEPARTMENT OF THE EAST INDIAN RAILWAY.

†168. *Mr. M. Maswood Ahmad: (a) Is it a fact that the total Carriage Department staff on a scale of pay of Rs. 150 or more employed on the East Indian Railway on the 31st March, 1931, was 58?

(b) Is it a fact that the communal composition of the Carriage Department staff on a minimum pay of Rs. 150 or more on the East Indian Railway on the 31st March, 1931, was:

Hindus 12 in number, 20.69 per cent.

Muslims 7 in number, 12.07 per cent.

Europeans cum Anglo-Indians 35 in number, 60.84 per cent.

Indian Christians Nil.

Others 4 in number, 6.9 per cent.?

(c) Will Government be pleased to state the communal composition of the Carriage Department staff on the East Indian Railway on the 31st March, 1932, according to the schedule mentioned in part (b)?

(d) What action do Government propose to take so that Muslims may get their due share of the posts mentioned in part (a)?

EMPLOYMENT OF MUSLIMS IN THE MECHANICAL ENGINEERING DEPARTMENT OF THE EAST INDIAN RAILWAY.

†169. *Mr. M. Maswood Ahmad: (a) Is it a fact that the total Mechanical Engineering Department staff employed on the East Indian Railway on the 31st March, 1931, was 980?

(b) Is it a fact that the communal composition of the Mechanical Engineering Department staff on the East Indian Railway on the 31st March, 1931, was:

Hindus 248 in number, 26.13 per cent.

Muslims 59 in number, 6.34 per cent.

Europeans *cum* Anglo-Indians 600 in number, 64.52 per cent.

Indian Christians 10 in number, 1.06 per cent.

Others 18 in number, 1.93 per cent.?

(c) Will Government be pleased to state the communal composition of the Mechanical Engineering Department staff on the East Indian Railway on the 31st March, 1932, according to the schedule mentioned in part (b)?

(d) What action do Government propose to take so that Muslims may get their due share of the posts mentioned in part (a)?

EMPLOYMENT OF MUSLIMS IN THE MECHANICAL ENGINEERING DEPARTMENT OF THE EAST INDIAN RAILWAY.

†170. *Mr. M. Maswood Ahmad: (a) Is it a fact that the total Mechanical Engineering Department staff on a scale of pay of Rs. 150 or more employed on the East Indian Railway on the 31st March, 1931, was 531?

(b) Is it a fact that the communal composition of the Mechanical Engineering Department staff on a minimum pay of Rs. 150 or more on the East Indian Railway on the 31st March, 1931, was:

Hindus 57 in number, 10.78 per cent.

Muslims 12 in number, 2.26 per cent.

Europeans *cum* Anglo-Indians 458 in number, 88.51 per cent.

Indian Christians 3 in number, .57 per cent.

Others 6 in number, 1.13 per cent.?

(c) Will Government be pleased to state the communal composition of the Mechanical Engineering Department staff on the East Indian Railway on the 31st March, 1932, according to the schedule mentioned in part (b)?

(d) What action do Government propose to take so that Muslims may get their due share of the posts mentioned in part (a)?

EMPLOYMENT OF MUSLIMS IN THE CIVIL ENGINEERING DEPARTMENT (WAYS AND WORKS) OF THE EAST INDIAN RAILWAY.

†171. *Mr. M. Maswood Ahmad: (a) Is it a fact that the total Civil Engineering Department (Ways and Works) staff employed on the East Indian Railway on the 31st March, 1931, was 450?

†For answer to this question, see answer to question No. 20.

(b) Is it a fact that the total communal composition of the Civil Engineering Department (Way and Works) staff on the East Indian Railway on the 31st March, 1931, was—

Hindus 213 in number, 47.33 per cent.

Muslims 80 in number, 6.67 per cent.

Europeans *cum* Anglo-Indians 188 in number, 41.78 per cent.

Indian Christians 6 in number, 1.33 per cent.

Others 13 in number, 2.89 per cent.?

(c) Will Government be pleased to state the communal composition of the Civil Engineering Department (Way and Works) staff on the East Indian Railway on the 31st March, 1932, according to the schedule mentioned in part (b)?

(d) What action do Government propose to take so that Muslims may get their due share of the posts mentioned in part (a)?

EMPLOYMENT OF MUSLIMS IN THE CIVIL ENGINEERING DEPARTMENT (WAY AND WORKS) OF THE EAST INDIAN RAILWAY.

†172. *Mr. M. Maswood Ahmad: (a) Is it a fact that the total Civil Engineering Department (Way and Works) staff on a scale of pay of Rs. 150 or more employed on the East Indian Railway on the 31st March, 1931, was 306?

(b) Is it a fact that the communal composition of the Civil Engineering Department (Way and Works) staff on a minimum pay Rs. 150 or more on the East Indian Railway on the 31st March, 1931, was:

Hindus 117 in number, 38.24 per cent.

Muslims 12 in number, 3.92 per cent.

Europeans *cum* Anglo-Indians 163 in number, 53.27 per cent.

Indian Christians 6 in number, 1.98 per cent.

Others 11 in number, 3.59 per cent.?

(c) Will Government be pleased to state the communal composition of the total in Civil Engineering Department (Way and Works) staff on the East Indian Railway, on the 31st March, 1932, according to the schedule mentioned in part (b)?

(d) What action do Government propose to take so that Muslims may get their due share of the posts mentioned in part (a)?

EMPLOYMENT OF MUSLIMS IN THE STORES DEPARTMENT OF THE EAST INDIAN RAILWAY.

†173. *Mr. M. Maswood Ahmad: (a) Is it a fact that the total Stores Department staff employed on the East Indian Railway on the 31st March, 1931, was 147?

(b) Is it a fact that the communal composition of the Stores Department staff on the East Indian Railway on the 31st March, 1931, was:

Hindus 82 in number, 55.78 per cent.

Muslims 12 in number, 8.16 per cent.

Europeans *cum* Anglo-Indians 47 in number, 31.98 per cent.

Indian Christians 5 in number, 3.4 per cent.

Others 1 in number, .68 per cent.?

(c) Will Government be pleased to state the communal composition of the Stores Department staff on the East Indian Railway on the 31st March, 1932, according to the schedule mentioned in part (b)?

(d) What action do Government propose to take so that Muslims may get their due share of the posts mentioned in part (a)?

EMPLOYMENT OF MUSLIMS IN THE STORES DEPARTMENT OF THE EAST INDIAN RAILWAY.

†174. *Mr. M. Maswood Ahmad: (a) Is it a fact that the total Stores Department staff on a scale of pay of Rs. 150 or more employed on the East Indian Railway on the 31st March, 1931, was 67?

(b) Is it a fact that the communal composition of the Stores Department staff on a minimum pay of Rs. 150 or more on the East Indian Railway, on the 31st March, 1931, was:

Hindus 23 in number, 34.33 per cent.

Muslims 2 in number, 2.99 per cent.

Europeans *cum* Anglo-Indians 41 in number, 61.19 per cent.

Indian Christians 1 in number, 1.49 per cent.

Others Nil.?

(c) Will Government be pleased to state the communal composition of the Stores Department staff on the East Indian Railway on the 31st March, 1932, according to the schedule mentioned in part (b)?

(d) What action do Government propose to take so that Muslims may get their due share of the posts mentioned in part (a)?

EMPLOYMENT OF MUSLIMS IN THE MEDICAL DEPARTMENT OF THE EAST INDIAN RAILWAY.

†175. *Mr. M. Maswood Ahmad: (a) Is it a fact that the total Medical Department staff employed on the East Indian Railway, on the 31st March, 1931, was 235?

(b) Is it a fact that the communal composition of the Medical Department staff on the East Indian Railway on the 31st March, 1931, was:

Hindus 178 in number, 75.74 per cent.

Muslims 51 in number, 21.7 per cent.

Europeans *cum* Anglo-Indians 3 in number, 1.28 per cent.

Indian Christians 3 in number, 1.28 per cent.?

†For answer to this question, see answer to question No. 20.

(c) Will Government be pleased to state the communal composition of the Medical Department staff on the East Indian Railway on the 31st March, 1932, according to the schedule mentioned in part (b)?

(d) What action do Government propose to take so that Muslims may get their due share of the posts mentioned in part (a)?

EMPLOYMENT OF MUSLIMS IN THE MEDICAL DEPARTMENT OF THE EAST INDIAN RAILWAY.

†176. ***Mr. M. Maswood Ahmad:** (a) Is it a fact that the total Medical Department staff on a scale of pay of Rs. 150 or more employed on the East Indian Railway on the 31st March, 1931, was 29?

(b) Is it a fact that the communal composition of the Medical Department staff on a minimum pay of Rs. 150 or more on the East Indian Railway on the 31st March, 1931, was:

Hindus 23 in number, 79·31 per cent.

Muslims 2 in number, 6·9 per cent.

Europeans *cum* Anglo-Indians 3 in number, 10·35 per cent.

Indian Christians 1 in number, 3·44 per cent.?

(c) Will Government be pleased to state the communal composition of the Medical Department staff on the East Indian Railway on the 31st March, 1932, according to the schedule mentioned in part (b)?

(d) What action do Government propose to take so that Muslims may get their due share of the posts mentioned in part (a)?

EMPLOYMENT OF MUSLIMS IN THE WATCH AND WARD DEPARTMENT OF THE EAST INDIAN RAILWAY.

†177. ***Mr. M. Maswood Ahmad:** (a) Is it a fact that the total Watch and Ward Department subordinate staff, employed on the East Indian Railway, on the 31st March, 1931, was 52?

(b) Is it a fact that the communal composition of the Watch and Ward Department subordinate staff on the East Indian Railway, on the 31st March, 1931, was:

Hindus 12 in number, 23·08 per cent.

Muslims 12 in number, 23·08 per cent.

Europeans *cum* Anglo-Indians 28 in number, 53·84 per cent.?

(c) Will Government be pleased to state the communal composition of the Watch and Ward Department staff on the East Indian Railway, on the 31st March, 1932, according to the schedule mentioned in part (b)?

(d) What action do Government propose to take so that Muslims may get their due share of the posts mentioned in part (a)?

EMPLOYMENT OF MUSLIMS IN THE WATCH AND WARD DEPARTMENT OF THE EAST INDIAN RAILWAY.

†178. ***Mr. M. Maswood Ahmad:** (a) Is it a fact that the total Watch and Ward Department staff on a scale of pay of Rs. 150 or more employed on the East Indian Railway, on the 31st March, 1931, was 16?

(b) Is it a fact that the communal composition of the Watch and Ward Department staff on a minimum pay of Rs. 150 or more on the East Indian Railway, on the 31st March, 1931, was:

Hindus 1 in number, 6.25 per cent.

Muslims 4 in number, 25.00 per cent.

Europeans cum Anglo-Indians 11 in number, 68.75 per cent.?

(c) Will Government be pleased to state the communal composition of the Watch and Ward Department staff on the East Indian Railway, on the 31st March, 1932, according to the schedule mentioned in part (b)?

(d) What action do Government propose to take so that Muslims may get their due share of the posts mentioned in part (a)?

RAILWAY PASSES ALLOWED TO THE HEADMISTRESS OF THE OAKGROVE SCHOOL.

179. ***Mr. M. Maswood Ahmad:** With reference to starred question No. 809 of the 26th September, 1932, regarding railway passes allowed to the Head Mistress of the Oakgrove School, have Government received the reply from the Agent, East Indian Railway?

Mr. P. R. Rau: The Agent of the East Indian Railway has replied that the teaching staff at Oakgrove School were allowed first class passes under the authority of the late Board of Directors of the East Indian Railway Company, the privilege having been accorded to them prior to the date on which the State assumed control of the Railway. The privilege is thus a personal one.

VISION TEST CLASSIFICATION OF TRAVELLING TICKET EXAMINERS.

180. ***Mr. M. Maswood Ahmad:** (a) If the reply from the Agent in connection with starred question No. 804, of the 26th September, 1932, has been received, what steps do Government propose to take in the matter, viz., vision test classification of Travelling Ticket Examiners?

(b) Will Government be pleased to lay on the table the reply mentioned in part (a)?

Mr. P. R. Rau: It has been decided on reconsideration to classify Travelling Ticket Examiners for test in category BI.

REPRESENTATION OF MUSLIM LANDHOLDERS OF BIHAR AND ORISSA IN THE LEGISLATURES.

181. ***Mr. M. Maswood Ahmad:** (a) Is it a fact that the five seats reserved for landholders in Bihar and Orissa in the Premier's decision is for Hindu landholders only?

(b) Is it a fact that under the present arrangements in Bihar and Orissa not a single Muslim landholder was elected since the reform of 1920?

(c) Are Government aware that a majority of the tenants of Hindu landholders in Bihar and Orissa are of the same community as Hindu landholders, while the majority of the tenants of Muslim landholders in

Bihar and Orissa are not of the same community as Muslim landholders? If Government are not aware, are they prepared to make an enquiry about that?

(d) Do Government propose to send a copy of this question to the Bihar Government and to the Bihar Franchise Committee to devise some means for the representation of Muslim landholders?

The Honourable Sir Brojendra Mitter: (a) No. The Honourable Member is referred to paragraph 16 of the Communal Decision.

(b) Yes.

(c) and (d). Government do not consider that any useful purpose would be served by taking the action suggested by the Honourable Member.

MUSLIM CHAMBERS OF COMMERCE.

182. ***Mr. M. Maswood Ahmad:** (a) Are Government aware that Muslim Chambers of Commerce have been established in Bihar and Orissa, Bengal and other provinces?

(b) Do Government recognise the Muslim Chambers of Commerce in different provinces?

(c) Do Government propose to give the same facilities to the Muslim Chambers of Commerce as are given to other Chambers of Commerce in different provinces?

The Honourable Sir Joseph Bhore: (a) The Government of India have been informed of the establishment of two Muslim Chambers, the Muslim Chamber of Commerce, Calcutta, and the Bihar and Orissa Muslim Chamber of Commerce.

(b) and (c). Applications have been received by the Government of India from both these Chambers for the extension to them of the privileges usually accorded to recognised Chambers of Commerce. These applications are under consideration.

SEPARATION OF ORISSA.

183. ***Mr. M. Maswood Ahmad:** (a) Is it a fact that the separation of Orissa province has been finally decided by the British Government?

(b) Is it a fact that there was not a single Mussalman in the Orissa Committee?

(c) Do Government propose to form a committee of official and non-official members of Hindu, Muslim and other communities to recommend the boundary of the new Orissa Province and to recommend the distribution of seats between Bihar proper and Orissa?

The Honourable Sir Brojendra Mitter: (a) At the conclusion of the last Round Table Conference the Secretary of State announced the intention of His Majesty's Government to create a separate Orissa Province.

(b) Yes.

(c) This procedure is not contemplated.

Mr. Lalchand Navarai: Are the Government of India agreed to the announcement that has been made by the Secretary of State?

The Honourable Sir Brojendra Mitter: This was a decision of His Majesty's Government in which the Government of India had no hand.

Mr. Lalchand Navarai: Were not the Government of India even consulted?

The Honourable Sir Brojendra Mitter: The Government of India were undoubtedly consulted, but the decision was the decision of His Majesty's Government.

Mr. Lalchand Navarai: And what was the recommendation or rather the reply that they were consulted about?

The Honourable Sir Brojendra Mitter: That I am not in a position to disclose; the matter was entirely within the competence of His Majesty's Government. They gave the decision after consulting the Government of India, the Local Government and various other authorities. What those previous consultations were, are not for me to disclose.

SEPARATION OF ORISSA.

184. ***Mr. M. Maswood Ahmad:** (a) Are Government aware that the separation of Orissa will affect Bihar, Madras, Central Provinces, and Bengal directly?

(b) Are Government aware that after the decision for separation of Orissa it would become necessary to reopen the question of distribution of seats amongst different communities in all the four provinces mentioned in part (a)?

The Honourable Sir Brojendra Mitter: (a) and (b). The points to which the Honourable Member refers depend upon the decision taken in regard to the boundaries of the Orissa province, a matter which is still under consideration.

RELEASE OF MR. GANDHI.

185. ***Mr. M. Maswood Ahmad:** Will Government be pleased to state how many telegrams have been received or representations have been made about the release of Mr. Gandhi in the months of December, 1932, and January, 1933?

The Honourable Sir Harry Haig: No such communications have been received by the Government of India during the period mentioned.

MR. GANDHI'S OPINION ON THE POLITICAL SITUATION PREVAILING IN THE COUNTRY.

186. ***Mr. M. Maswood Ahmad:** (a) Is it a fact that Government were in correspondence with Mr. Gandhi with a view to eliciting Gandhiji's attitude towards the peculiar political situation prevailing in the country and to knowing his opinions about the civil disobedience movement?

(b) Will Government be pleased to lay on the table the correspondence that passed between them and Mr. Gandhi in the months of November and December, 1932, and of January, 1933?

The Honourable Sir Harry Haig: (a) and (b). There has been no correspondence of the nature referred to by the Honourable Member between Government and Mr. Gandhi and the question of placing it on the table does not, therefore, arise.

RELEASE OF MR. GANDHI.

187. ***Mr. M. Maswood Ahmad:** (a) Is it a fact that the first meeting of the Viceroy's Executive Council of the New Year was held at the Viceroy's Camp at Belvedere on Thursday morning, the 5th January, 1933, and that they discussed the attitude to be taken up by the Government of India in regard to the question of releasing Mr. Gandhi and other political leader prisoners?

(b) Is it a fact that the question of the release of Mr. Gandhi was considered in the Executive Council meeting on the suggestions of the Premier or of Lord Sankey or of the Secretary of State for India?

The Honourable Sir Harry Haig: (a) and (b). The proceedings of His Excellency the Governor General's Executive Council are confidential, and I am unable to give any information in the matter.

FACILITIES TO THE DELEGATES OF THE THIRD ROUND TABLE CONFERENCE TO MEET MR. GANDHI.

188. ***Mr. M. Maswood Ahmad:** (a) Have Government received any representation from Sir Tej Bahadur Sapru, or from any other delegate of the Third Round Table Conference, to afford facilities to meet Mr. Gandhi?—

(b) What will be the attitude of the Government in affording facilities to the delegates of the Third Round Table Conference to meet Mr. Gandhi?

The Honourable Sir Harry Haig: (a) No.

(b) I would refer the Honourable Member to my reply to Mr. B. Das' Short Notice question dated the 7th November, 1932, which stated the policy of Government in regard to interviews with Mr. Gandhi.

CONDITION AND PROGRESS OF SERICULTURAL INDUSTRY.

189. ***Mr. M. Maswood Ahmad:** (a) Is it a fact that the condition and progress of the sericultural industry in Madras Presidency is under the consideration of the Tariff Board?

(b) Are Government aware in which parts of the British India sericultural industry exists?

(c) Will the Tariff Board consider the question of the sericultural industry in other provinces than Madras as well?

The Honourable Sir Joseph Bhore: (a) and (c). The attention of the Honourable Member is invited to the Commerce Department Resolution No. 607-T. (I), dated the 8rd December, 1932, which was published in

Part I of the Gazette of India, dated the 10th December, 1932, from which it will be seen that the scope of the Tariff Board's enquiry is not limited to the sericultural industry of any particular province.

(b) Yes.

QUESTIONNAIRE PREPARED BY THE TARIFF BOARD IN CONNECTION WITH THE SERICULTURAL INDUSTRY IN INDIA.

190. ***Mr. M. Maswood Ahmad**: Will Government be pleased to lay on the table the questionnaire prepared by the Tariff Board in connection with the sericultural industry in India?

The Honourable Sir Joseph Bhoré: The Tariff Board has issued three questionnaires in connection with its enquiry into the question of protection for the Indian sericultural industry and as these are somewhat long, two copies of each have been placed in the Library of the Central Legislature.

SILK COCOONS PRODUCED IN INDIA.

191. ***Mr. M. Maswood Ahmad**: Are Government aware what quantity of silk cocoons are produced in British India (each province separately) and what amounts are produced in Indian States (each State separately)?

Mr. G. S. Bajpai: The information is being collected and will be furnished later.

SUPPLY OF POSTAGE STAMPS TO INDIAN STATES.

192. ***Mr. M. Maswood Ahmad**: (a) Is it a fact that several States get postal stamps free of any charge for their State service use?

(b) If the reply to part (a) be in the affirmative, will Government be pleased to state which States take postal stamp free, and of what value?

The Honourable Sir Frank Noyce: (a) and (b). I would refer the Honourable Member to the reply given by me on the 8th September, 1932, to Dr. Ziauddin Ahmad's starred question No. 114, in which I explained that stamps are given in pursuance of certain agreements and understandings relating to the working of the Indian Posts and Telegraphs Department in the States concerned, and in which a list of those States and of the values of stamps was given.

Dr. Ziauddin Ahmad: May I ask whether this practice will be continued under the new Reforms?

The Honourable Sir Frank Noyce: I think the Honourable Member will agree with me that I am quite unable to say what the action will be that the future Government will take in this matter.

ARRESTS MADE IN BRITISH INDIA IN CONNECTION WITH THE ALWAR MEO MOVEMENT.

193. ***Mr. M. Maswood Ahmad**: How many persons have been arrested in British India in connection with the Alwar Meo movement?

The Honourable Sir Harry Haig: None, so far as the Government of India are aware.

Mr. M. Maswood Ahmad: Is it a fact that Colonel Ogilvie, who was for some time the Resident in the Kashmir State, during the recent Kashmir rising, was sent to Alwar State?

The Honourable Sir Harry Haig: Colonel Ogilvie, Sir, is the Agent to the Governor General in Rajputana. I do not quite follow the point of reference to the fact that he was the Resident in Kashmir before he took up that appointment.

Mr. M. Maswood Ahmad: Was he sent to the Alwar State especially to advise the Maharaja in suppressing the rising in Alwar State?

The Honourable Sir Harry Haig: Colonel Ogilvie, as I have already mentioned, is the Agent to the Governor General in Rajputana and, as there is no Political Agent for the Alwar State, the Agent to the Governor General has to perform the functions of a Political Agent.

EXTENSION OF THE LIFE OF THE LEGISLATIVE ASSEMBLY.

194. ***Mr. M. Maswood Ahmad:** Will Government be pleased to state whether they are considering the question of extending the life of the present Assembly up to the September Session of 1934?

The Honourable Sir Brojendra Mitter: The power to extend the life of the Legislative Assembly, if in special circumstances he so thinks fit, is vested in the Governor General. Government are not in a position to make any statement.

RECOMMENDATIONS OF THE RAILWAY BOARD ON MR. K. M. HASSAN'S REPORT REGARDING MUSLIM REPRESENTATION IN RAILWAY SERVICES.

195. ***Mr. M. Maswood Ahmad:** (a) Have Government issued any order or circular on Mr. K. M. Hassan's report?

(b) If the reply be in the negative, will they be pleased to state in what stage the recommendation of the Railway Board is pending?

(c) Will Government be pleased to state when they propose to issue any circular on the recommendation of the Railway Board for Muslim representation in Railway services?

Mr. P. B. Rau: (a) No.

(b) and (c). I would refer my Honourable friend to the reply I gave him on the 1st February, 1933, to his group of questions beginning with question No. 20.

Mr. M. Maswood Ahmad: Is it a fact that more than a year ago Mr. K. M. Hassan submitted his report?

Mr. P. B. Rau: Yes, Sir; that is correct.

Mr. M. Maswood Ahmad: By what time do Government propose to issue any Resolution or Circular in that matter?

Mr. P. B. Rau: I am afraid I am unable to say at present.

MUSLIM SUBORDINATE STAFF, EXCLUDING ACCOUNTS OFFICES, ON THE GREAT INDIAN PENINSULA RAILWAY.

†196. ***Mr. M. Maswood Ahmad:** (a) Is it a fact that the total number of posts of the subordinate staff, excluding those in the accounts offices, on the Great Indian Peninsula Railway, on the 31st March, 1931, was 15,071?

(b) Is it a fact that the communal composition of the subordinate staff referred to in part (a) on the Great Indian Peninsula Railway on the 31st March, 1931, was:

Hindus 9,663 in number, 64.12 per cent.

Muslims 1,521 in number, 10.09 per cent.

Europeans *cum* Anglo-Indians 1,949 in number, 12.94 per cent.

Indian Christians 1,461 in number, 9.69 per cent.

Others 477 in number, 3.16 per cent.?

(c) Will Government be pleased to state the communal composition of the subordinate staff, excluding those in the accounts offices, on the Great Indian Peninsula Railway on the 31st March, 1932, according to the schedule mentioned in part (b)?

(d) What action do Government propose to take to see that Muslims may get their due share in services on the Great Indian Peninsula Railway?

EMPLOYMENT OF MUSLIMS IN THE CLERICAL POSTS, EXCLUDING ACCOUNTS OFFICES, ON THE GREAT INDIAN PENINSULA RAILWAY.

†197. ***Mr. M. Maswood Ahmad:** (a) Is it a fact that the total number of clerical posts, excluding those in the accounts offices, on the Great Indian Peninsula Railway on the 31st March, 1931, was 8,310?

(b) Is it a fact that the communal composition of the total clerical staff on the Great Indian Peninsula Railway on the 31st March, 1931, was:

Hindus 2,492 in number, 75.29 per cent.

Muslims 215 in number, 6.49 per cent.

Europeans *cum* Anglo-Indians 87 in number, 2.63 per cent.

Indian Christians 473 in number 14.29 per cent.

Others 43 in number, 1.30 per cent.?

(c) Will Government be pleased to state the communal composition of the total of the clerical staff, excluding those in the accounts offices, on the Great Indian Peninsula Railway on the 31st March, 1932, according to the schedule mentioned in part (b)?

(d) What action do Government propose to take to ensure that Muslims may get their due share of the posts mentioned in part (a)?

†For answer to this question, see answer to question No. 20.

EMPLOYMENT OF MUSLIMS IN THE CLERICAL POSTS, EXCLUDING ACCOUNTS OFFICES, ON THE GREAT INDIAN PENINSULA RAILWAY.

†198. ***Mr. M. Maswood Ahmad:** (a) Is it a fact that the total number of clerical posts on a scale of pay of Rs. 150 or more, excluding those in accounts offices, on the Great Indian Peninsula Railway on the 31st March, 1931, was 261?

(b) Is it a fact that the communal composition of the total clerical staff, excluding those in the accounts offices, on a minimum pay of Rs. 150 or more on the Great Indian Peninsula Railway on the 31st March, 1931, was:

Hindus 139 in number, 53.26 per cent.

Muslims 28 in number, 10.73 per cent.

Europeans *cum* Anglo-Indians 40 in number, 15.32 per cent.

Indian Christians 38 in number, 14.56 per cent.

Others 16 in number, 6.13 per cent.?

(c) Will Government be pleased to state the communal composition of the total clerical staff, excluding those in the accounts offices, on a scale of pay from Rs. 150 on the Great Indian Peninsula Railway on the 31st March, 1932, according to the schedule mentioned in part (b)?

(d) What action do Government propose to take to ensure that Muslims may get their due share in services mentioned in part (a)?

EMPLOYMENT OF MUSLIMS IN THE TRANSPORTATION DEPARTMENT (TRAFFIC) OF THE GREAT INDIAN PENINSULA RAILWAY.

†199. ***Mr. M. Maswood Ahmad:** (a) Is it a fact that the total number of posts in the Transportation Traffic Department on the Great Indian Peninsula Railway on the 31st March, 1931, was 5,321?

(b) Is it a fact that the communal composition of the whole Transportation Traffic Department staff on the Great Indian Peninsula Railway on the 31st March, 1931, was:

Hindus 3,773 in number, 70.91 per cent.

Muslims 636 in number, 11.95 per cent.

Europeans *cum* Anglo-Indians 524 in number, 9.85 per cent.

Indian Christians 319 in number, 6.00 per cent.

Others 69 in number, 1.29 per cent.?

(c) Will Government be pleased to state the communal composition of the total Transportation Traffic Department staff on the Great Indian Peninsula Railway on the 31st March, 1932, according to the schedule mentioned in part (b)?

(d) What action do Government propose to take to see that Muslims may get their due share in the services mentioned in part (a)?

EMPLOYMENT OF MUSLIMS IN THE TRANSPORTATION DEPARTMENT (TRAFFIC) OF THE GREAT INDIAN PENINSULA RAILWAY.

†200. ***Mr. M. Maswood Ahmad:** (a) Is it a fact that the total number of posts in the Transportation Traffic Department on a scale of pay of Rs. 150 or more on the Great Indian Peninsula Railway on the 31st March, 1931, was 471?

(b) Is it a fact that the communal composition of the whole of the Transportation Traffic Department staff on a minimum pay of Rs. 150 or more on the Great Indian Peninsula Railway on the 31st March, 1931, was:

Hindus 62 in number, 13.16 per cent.

Muslims 14 in number, 2.97 per cent.

Europeans *cum* Anglo-Indians 332 in number, 70.49 per cent.

Indian Christians 54 in number, 11.47 per cent.

Others 9 in number, 1.91 per cent.?

(c) Will Government be pleased to state the communal composition of the whole Transportation Traffic Department staff of the Great Indian Peninsula Railway on the 31st March, 1932, according to the schedule mentioned in part (b)?

(d) What action do Government propose to take to ensure that Muslims may get their due share in posts mentioned in part (a)?

EMPLOYMENT OF MUSLIMS IN THE TRAFFIC DEPARTMENT (COMMERCIAL) OF THE GREAT INDIAN PENINSULA RAILWAY.

†201. *Mr. M. Maswood Ahmad: (a) Is it a fact that the total number of posts in the Traffic Department (Commercial) of the Great Indian Peninsula Railway on the 31st March, 1931, was 3,088?

(b) Is it a fact that the communal composition of the whole of the Traffic Department (Commercial) staff of the Great Indian Peninsula Railway on the 31st March, 1931, was:

Hindus 2,408 in number, 77.98 per cent.

Muslims 262 in number, 8.49 per cent.

Europeans *cum* Anglo-Indians 115 in number, 3.72 per cent.

Indian Christians 253 in number, 8.19 per cent.

Others 50 in number, 1.62 per cent.?

(c) Will Government be pleased to state the communal composition of the whole of the Traffic Department (Commercial) staff of the Great Indian Peninsula Railway on the 31st March, 1932, according to the schedule mentioned in part (b)?

(d) What action do Government propose to take to ensure that Muslims may get their due share in the posts mentioned in part (a)?

EMPLOYMENT OF MUSLIMS IN THE TRAFFIC DEPARTMENT (COMMERCIAL) OF THE GREAT INDIAN PENINSULA RAILWAY.

†202. *Mr. M. Maswood Ahmad: (a) Is it a fact that the total number of posts in the Traffic Department (Commercial) on a scale of pay of Rs. 150 or more on the Great Indian Peninsula Railway on the 31st March, 1931, was 77?

†For answer to this question, see answer to question No. 20.

(b) Is it a fact that the communal composition of the Traffic Department (Commercial) staff on a minimum pay of Rs. 150 or more on the Great Indian Peninsula Railway on the 31st March, 1981, was:

Hindus 47 in number, 61.04 per cent.

Muslims 4 in number, 5.19 per cent.

Europeans *cum* Anglo-Indians 16 in number, 20.78 per cent.

Indian Christians 9 in number, 11.69 per cent.

Others 1 in number, 1.3 per cent. ?

(c) Will Government be pleased to state the communal composition of the Traffic Department (Commercial) staff of the Great Indian Peninsula Railway on the 31st March, 1982, according to the schedule mentioned in part (b)?

(d) What action do Government propose to take to ensure that Muslims may get their due share of the posts mentioned in part (a)?

EMPLOYMENT OF MUSLIMS IN THE TRANSPORTATION DEPARTMENT (POWER) OF THE GREAT INDIAN PENINSULA RAILWAY.

†203. ***Mr. M. Maswood Ahmad:** (a) Is it a fact that the total number of posts in the Transportation Department (Power) of the Great Indian Peninsula Railway, on the 31st March, 1981, was 1,698?

(b) Is it a fact that the communal composition in the whole of the Transportation Department (Power) staff of the Great Indian Peninsula Railway on the 31st March, 1981, was:

Hindus 308 in number, 18.14 per cent.

Muslims 299 in number, 17.61 per cent.

Europeans *cum* Anglo-Indians 711 in number, 41.87 per cent.

Indian Christians 137 in number, 8.07 per cent.

Others 243 in number, 14.31 per cent. ?

(c) Is it a fact that Muslims in the department mentioned in part (a) are mostly in the lower grades?

(d) Will Government be pleased to state the communal composition of the whole of the Transportation Department (Power) staff of the Great Indian Peninsula Railway, on the 31st March, 1982, according to the schedule mentioned in part (b).

(e) What action do Government propose to take to ensure that Muslims may get their due share of posts mentioned in part (a)?

EMPLOYMENT OF MUSLIMS IN THE TRANSPORTATION DEPARTMENT (POWER) OF THE GREAT INDIAN PENINSULA RAILWAY.

†204. ***Mr. M. Maswood Ahmad:** (a) Is it a fact that the total number of posts in the Transportation Department (Power) on a scale of pay of Rs. 150 or more on the Great Indian Peninsula Railway on the 31st March, 1981, was 478?

(b) Is it a fact that the communal composition of the whole of the Transportation Department (Power) staff on a minimum pay of Rs. 150 or more on the Great Indian Peninsula Railway on the 31st March, 1931, was:

Hindus 11 in number, 2·33 per cent.

Muslims 1 in number, ·21 per cent.

Europeans *cum* Anglo-Indians 428 in number, 89·43 per cent.

Indian Christians 21 in number, 4·44 per cent.

Others 17 in number, 3·59 per cent.?

(c) Will Government be pleased to state the communal composition of the whole of the Transportation Department (Power) staff of the Great Indian Peninsula Railway on the 31st March, 1932, according to the schedule mentioned in part (b)?

(d) What action do Government propose to take to ensure that Muslims may get their due share of posts mentioned in part (a)?

**EMPLOYMENT OF MUSLIMS IN THE TRANSPORTATION DEPARTMENT
(CARRIAGE) OF THE GREAT INDIAN PENINSULA RAILWAY.**

†205. ***Mr. M. Maswood Ahmad:** (a) Is it a fact that the total number of posts in the Transportation Department (Carriage) of the Great Indian Peninsula Railway on the 31st March, 1931, was 431?

(b) Is it a fact that the communal composition of the whole of the Transportation Department (Carriage) staff of the Great Indian Peninsula Railway on the 31st March, 1931, was:

Hindus 216 in number, 50·12 per cent.

Muslims 48 in number, 11·14 per cent.

Europeans *cum* Anglo-Indians 84 in number, 7·89 per cent.

Indian Christians 128 in number, 29·7 per cent.

Others 5 in number, 1·15 per cent.?

(c) Will Government be pleased to state the communal composition of the whole of the Transportation Department (Carriage) staff of the Great Indian Peninsula Railway on the 31st March, 1932, according to the schedule mentioned in part (b)?

(d) What action do Government propose to take to ensure that Muslims may get their due share of the posts mentioned in part (a)?

**EMPLOYMENT OF MUSLIMS IN THE TRANSPORTATION DEPARTMENT
(CARRIAGE) OF THE GREAT INDIAN PENINSULA RAILWAY.**

†206. ***Mr. M. Maswood Ahmad:** (a) Is it a fact that the total number of posts in the Transportation Department (Carriage) on a scale of pay of Rs. 150 or more on the Great Indian Peninsula Railway on the 31st March, 1931, was 82?

(b) Is it a fact that the communal composition of the whole of the Transportation Department (Carriage) staff on a minimum pay of Rs. 150 or

†For answer to this question, see answer to question No. 20.

more on the Great Indian Peninsula Railway on the 31st March, 1931, was:

Hindus 23 in number, 28·05 per cent.

Muslims, Nil, Nil.

Europeans *cum* Anglo-Indians 23 in number, 28·05 per cent.

Indian Christians 35 in number, 42·68 per cent.

Others 1 in number, 1·22 per cent.?

(c) Will Government be pleased to state the communal composition of the whole of the Transportation Department (Carriage) staff of the Great Indian Peninsula Railway on the 31st March, 1932, according to the schedule mentioned in part (b)?

(d) What action do Government propose to take to ensure that Muslims may get their due share of the posts mentioned in part (a)?

MUSLIM WORKSHOPS (MECHANICAL ENGINEERING) STAFF ON THE GREAT INDIAN PENINSULA RAILWAY.

†207. *Mr. M. Maswood Ahmad: (a) Is it a fact that the total number of posts in the Workshops (Mechanical Engineering) on the Great Indian Peninsula Railway on the 31st March 1931 was 454?

(b) Is it a fact that the communal composition of the Workshops (Mechanical Engineering) staff on the Great Indian Peninsula Railway on the 31st March, 1931, was:

Hindus 77 in number, 16·96 per cent.

Muslims 22 in number, 4·85 per cent.

Europeans *cum* Anglo-Indians 279 in number, 61·47 per cent.

Indian Christians 56 in number, 12·34 per cent.

Others 20 in number, 4·38 per cent.?

(c) Will Government be pleased to state the communal composition of all the Workshops (Mechanical Engineering) staff on the Great Indian Peninsula Railway on the 31st March, 1932, according to the schedule mentioned in part (b)?

(d) What action do Government propose to take to ensure that Muslims may get their due share of the posts mentioned in part (a)?

MUSLIM WORKSHOPS (MECHANICAL ENGINEERING) STAFF ON THE GREAT INDIAN PENINSULA RAILWAY.

†208. *Mr. M. Maswood Ahmad: (a) Is it a fact that the total number of posts in the Workshops (Mechanical Engineering) on a scale of pay of Rs. 150 or more on the Great Indian Peninsula Railway on the 31st March, 1931, was 362?

†For answer to this question, see answer to question No. 20.

(b) Is it a fact that the communal composition of all the Workshops (Mechanical Engineering) staff on a minimum pay of Rs. 150 or more on the Great Indian Peninsula Railway on the 31st March, 1931, was:

Hindus 36 in number, 9.95 per cent.

Muslims 7 in number, 1.93 per cent.

Europeans *cum* Anglo-Indians 264 in number, 72.92 per cent.

Indian Christians 40 in number, 11.05 per cent.

Others 15 in number, 4.15 per cent.?

(c) Will Government be pleased to state the communal composition of the Workshops (Mechanical Engineering) staff on the Great Indian Peninsula Railway on the 31st March, 1932, according to the schedule mentioned in part (b)?

(d) What action do Government propose to take to ensure that Muslims may get their due share in posts mentioned in part (a)?

**EMPLOYMENT OF MUSLIMS IN THE TRANSPORTATION DEPARTMENT
(TRACTION) OF THE GREAT INDIAN PENINSULA RAILWAY.**

†209. *Mr. M. Maswood Ahmad: (a) Is it a fact that the total number of posts in Transportation "Traction" on the Great Indian Peninsula Railway on the 31st March 1931 was 204?

(b) Is it a fact that the communal composition of the whole Transportation "Traction" staff on the Great Indian Peninsula Railway on the 31st March, 1931, was:

Hindus 102 in number, 50.00 per cent.

Muslims 7 in number, 3.43 per cent.

Europeans *cum* Anglo-Indians 39 in number, 19.12 per cent.

Indian Christians 47 in number, 23.04 per cent.

Others 9 in number, 4.41 per cent.?

(c) Will Government be pleased to state the communal composition of the whole Transportation "Traction" staff on the Great Indian Peninsula Railway on the 31st March, 1932, according to the schedule mentioned in part (b)?

(d) What action do Government propose to take to ensure that Muslims may get their due share of the posts mentioned in part (a)?

**EMPLOYMENT OF MUSLIMS IN THE TRANSPORTATION DEPARTMENT
(TRACTION) OF THE GREAT INDIAN PENINSULA RAILWAY.**

†210. *Mr. M. Maswood Ahmad: (a) Is it a fact that the total number of posts in Transportation "Traction" on a scale of pay of Rs. 150 or more employed on the Great Indian Peninsula Railway, on the 31st March, 1931, was 112?

(b) Is it a fact that the communal composition of the whole Transportation "Traction" staff on a minimum pay of Rs. 150, or more on the Great Indian Peninsula Railway, on the 31st March, 1931, was:

Hindus 50 in number, 44.64 per cent.

Muslims 5 in number, 4.46 per cent.

Europeans *cum* Anglo-Indians 32 in number, 28.58 per cent.

Indian Christians 17 in number, 15.18 per cent.

Others 8 in number, 7.14 per cent.?

(c) Will Government be pleased to state the communal composition of the whole Transportation "Traction" staff on the Great Indian Peninsula Railway on the 31st March, 1932, according to the schedule mentioned in part (b)?

(d) What action do Government propose to take to ensure that Muslims may get their due share of the posts mentioned in part (a)?

EMPLOYMENT OF MUSLIMS IN THE CIVIL ENGINEERING DEPARTMENT OF THE GREAT INDIAN PENINSULA RAILWAY.

†211. *Mr. M. Maswood Ahmad: (a) Is it a fact that the total number of posts in the Civil Engineering Department of the Great Indian Peninsula Railway, on the 31st March, 1931, was 928?

(b) Is it a fact that the communal composition of the whole Civil Engineering Department staff of the Great Indian Peninsula Railway, on the 31st March, 1931, was:

Hindus 148 in number, 45.12 per cent.

Muslims 20 in number, 6.10 per cent.

Europeans *cum* Anglo-Indians 115 in number, 85.06 per cent.

Indian Christians 19 in number, 5.79 per cent.

Others 26 in number, 7.93 per cent.?

(c) Will Government be pleased to state the communal composition of the whole Civil Engineering Department staff of the Great Indian Peninsula Railway, on the 31st March, 1932, according to the schedule mentioned in part (b)?

(d) What action do Government propose to take to ensure that Muslims may get their due share of the posts mentioned in part (a)?

EMPLOYMENT OF MUSLIMS IN THE CIVIL ENGINEERING DEPARTMENT OF THE GREAT INDIAN PENINSULA RAILWAY.

†212. *Mr. M. Maswood Ahmad: (a) Is it a fact that the total number of posts in the Civil Engineering Department on a scale of pay of Rs. 150 or more on the Great Indian Peninsula Railway on the 31st March, 1931, was 190?

(b) Is it a fact that the communal composition of the whole Civil Engineering Department staff on a minimum pay of Rs. 150 or more on the Great Indian Peninsula Railway, on the 31st March, 1931, was:

Hindus 62 in number, 82·68 per cent.

Muslims 10 in number, 5·26 per cent.

Europeans *cum* Anglo-Indians 85 in number, 44·78 per cent.

Indian Christians 15 in number, 7·9 per cent.

Others 18 in number, 9·48 per cent.?

(c) Will Government be pleased to state the communal composition of the whole Civil Engineering Department staff of the Great Indian Peninsula Railway, on the 31st March, 1932, according to the schedule mentioned in part (b)?

(d) What action do Government propose to take to ensure that Muslims may get their due share of the posts mentioned in part (a)?

EMPLOYMENT OF MUSLIMS IN THE MEDICAL DEPARTMENT OF THE GREAT INDIAN PENINSULA RAILWAY.

†213. *Mr. M. Maswood Ahmad: (a) Is it a fact that the total number of posts in the Medical Department on the Great Indian Peninsula Railway, on the 31st March, 1931, was 171?

(b) Is it a fact that the communal composition of the whole Medical Department staff of the Great Indian Peninsula Railway, on the 31st March, 1931, was:

Hindus 103 in number, 60·23 per cent.

Muslims 5 in number, 2·92 per cent.

Europeans *cum* Anglo-Indians 33 in number, 19·80 per cent.

Indian Christians 20 in number, 11·7 per cent.

Others 10 in number, 5·85 per cent.?

(c) Will Government be pleased to state the communal composition of the whole Medical Department staff of the Great Indian Peninsula Railway, on the 31st March, 1932, according to the schedule mentioned in part (b)?

(d) What action do Government propose to take to ensure that Muslims may get their due share of the posts mentioned in part (a)?

EMPLOYMENT OF MUSLIMS IN THE MEDICAL DEPARTMENT OF THE GREAT INDIAN PENINSULA RAILWAY.

†214. *Mr. M. Maswood Ahmad: (a) Is it a fact that the total number of posts in the Medical Department on a scale of pay of Rs. 150 or more on the Great Indian Peninsula Railway, on the 31st March, 1931, was 74?

(b) Is it a fact that the communal composition of the Medical Department staff on a minimum pay of Rs. 150 or more on the Great Indian Peninsula Railway, on the 31st March, 1931, was:

Hindus 23 in number, 31·08 per cent.

Muslims Nil.

Europeans *cum* Anglo-Indians 33 in number, 44·59 per cent.

Indian Christians 8 in number, 10·82 per cent.

Others 10 in number, 13·51 per cent.?

†For answer to this question, see answer to question No. 20.

(c) Will Government be pleased to state the communal composition of the Medical Department staff of the Great Indian Peninsula Railway, on the 31st March, 1932, according to the schedule mentioned in part (b)?

(d) What action do Government propose to take to ensure that Muslims may get their due share of the posts mentioned in part (a)?

EMPLOYMENT OF MUSLIMS IN THE STORES DEPARTMENT OF THE GREAT INDIAN PENINSULA RAILWAY.

†215. *Mr. M. Maswood Ahmad: (a) Is it a fact that the total number of posts in the Stores Department of the Great Indian Peninsula Railway, on the 31st March, 1931, was 37?

(b) Is it a fact that the communal composition of the Stores Department staff of the Great Indian Peninsula Railway, on the 31st March, 1931, was:

Hindus 23 in number, 62.16 per cent.

Muslims *nil*.

Europeans *cum* Anglo-Indians 4 in number, 10.82 per cent.

Indian Christians 9 in number, 24.32 per cent.

Others 1 in number, 2.70 per cent.?

(c) Will Government be pleased to state the communal composition of the Stores Department staff of the Great Indian Peninsula Railway, on the 31st March, 1932, according to the schedule mentioned in part (b)?

(d) What action do Government propose to take to ensure that Muslims may get their due share of the posts mentioned in part (a)?

EMPLOYMENT OF MUSLIMS IN THE STORES DEPARTMENT OF THE GREAT INDIAN PENINSULA RAILWAY.

†216. *Mr. M. Maswood Ahmad: (a) Is it a fact that the total number of posts in the Stores Department on a scale of pay of Rs. 150, or more on the Great Indian Peninsula Railway, on the 31st March, 1931, was 15?

(b) Is it a fact that the communal composition of the Stores Department staff on a minimum pay of Rs. 150 or more on the Great Indian Peninsula Railway, on the 31st March, 1931, was:

Hindus 7 in number, 46.67 per cent.

Muslims *nil*.

Europeans *cum* Anglo-Indians 4 in number, 26.66 per cent.

Indian Christians 4 in number, 26.67 per cent.?

(c) Will Government be pleased to state the communal composition of the Stores Department staff of the Great Indian Peninsula Railway, on the 31st March, 1932, according to the schedule mentioned in part (b)?

(d) What action do Government propose to take to ensure that Muslims may get their due share of the posts mentioned in part (a)?

EMPLOYMENT OF MUSLIMS IN THE WATCH AND WARD DEPARTMENT OF THE GREAT INDIAN PENINSULA RAILWAY.

†217. ***Mr. M. Maswood Ahmad:** (a) Is it a fact that the total number of posts in the Watch and Ward Department of the Great Indian Peninsula Railway on the 31st March, 1931, was 27?

(b) Is it a fact that the communal composition of the whole of the Watch and Ward Department staff of the Great Indian Peninsula Railway on the 31st March, 1931, was:

Hindus 11 in number, 40·74 per cent.

Muslims 7 in number, 25·93 per cent.

Europeans *cum* Anglo-Indians 8 in number, 29·63 per cent.

Others 1 in number, 3·7 per cent.?

(c) Will Government be pleased to state the communal composition of the whole of the Watch and Ward Department staff of the Great Indian Peninsula Railway on the 31st March, 1932, according to the schedule mentioned in part (b)?

(d) What action do Government propose to take to ensure that Muslims may get their due share of the posts mentioned in part (a)?

EMPLOYMENT OF MUSLIMS IN THE WATCH AND WARD DEPARTMENT OF THE GREAT INDIAN PENINSULA RAILWAY.

†218. ***Mr. M. Maswood Ahmad:** (a) Is it a fact that the total number of posts in the Watch and Ward Department on a scale of pay of Rs. 150 or more on the Great Indian Peninsula Railway on the 31st March, 1931, was 13?

(b) Is it a fact that the communal composition of the Watch and Ward Department staff on a minimum pay of Rs. 150 or more on the Great Indian Peninsula Railway, on the 31st March, 1931, was:

Hindus 2 in number, 15·39 per cent.

Muslims 2 in number, 15·39 per cent.

Europeans *cum* Anglo-Indians 8 in number, 61·53 per cent.

Others 1 in number, 7·69 per cent.?

(c) Will Government be pleased to state the communal composition of the Watch and Ward Department staff on the Great Indian Peninsula Railway on the 31st March, 1932, according to the schedule mentioned in part (b)?

(d) What action do Government propose to take to ensure that Muslims may get their due share of the posts mentioned in part (a)?

RETURNED EMIGRANTS.

219. ***Lala Rameshwar Prasad Bagla:** (a) Will Government please state if they keep any record of the returned emigrants?

(b) If so, will Government be pleased to state the total number of emigrants returned during the last ten years as also in the year 1932?

†For answer to this question, see answer to question No. 20.

(c) Will Government please state if they have made any arrangement for their housing and livelihood?

(d) Is it a fact that most of these emigrants desired to be sent outside India?

(e) If the reply to part (d) be in the affirmative, will Government please state how many of them were sent outside and to which places?

(f) Will Government please state the actual amount expended in doing so?

(g) Have Government thought of any other practical and economical solution?

(h) Will Government please state how far it is true that most of these emigrants are paupers from the colonies?

(i) Are Government prepared to institute an official enquiry into the matter and prepare, for the information of the public, a report thereon?

Mr. G. S. Bajpai: (a) Statistics of returned emigrants are maintained.

(b) 44,792 emigrants returned from the various colonies, etc., during the ten years ending 31st December, 1931, and, as far as information is available, the number for 1932 was 3,713.

(c) Protectors of Emigrants at the various ports receive returning emigrants and make all arrangements for their departure to their homes in India. For emigrants returning from South Africa, there has been a special officer at Madras since 1927, who looks after their moneys, if desired, and helps them to find work suited to their resources and aptitude.

(d) No.

(e), (f) and (g). Do not arise.

(h) Government are not aware that most of the returned emigrants are paupers.

(i) The Honourable Member presumably refers to the question of the percentage of paupers amongst returned emigrants. Government are considering whether any special investigation into this matter is necessary.

RELEASE OF MAHATMA GANDHI AND OTHER CIVIL DISOBEDIENCE PRISONERS.

220. ***Mr. C. S. Banga Iyer:** (a) Will Government be pleased to state whether it is a fact that the propaganda which Mahatma Gandhi has been allowed to carry on from behind the prison bars to abolish untouchability has diverted the attention of the public from the civil disobedience movement?

(b) If so, are Government prepared to consider the advisability of releasing Mahatma Gandhi and other civil disobedience prisoners? If not, why not?

The Honourable Sir Harry Haig: (a) The untouchability campaign may have diverted the attention of some supporters of civil disobedience from that movement but civil disobedience is still the declared policy of the Congress leaders.

(b) I would refer the Honourable Member to part (b) of my reply to Mr. Lalchand Navajrai's starred question No. 149.

Mr. C. S. Ranga Iyer: Do Government recognise that an atmosphere of calm and goodwill is necessary to discuss the constitutional proposals which His Majesty's Government will be announcing shortly?

The Honourable Sir Harry Haig: Government are certainly very anxious for an atmosphere of calm both for the discussion of the constitutional proposals and for ordinary administrative purposes.

Mr. C. S. Ranga Iyer: Are Government aware that such an atmosphere cannot be obtained so long as Mahatma Gandhi and his supporters are in prison?

The Honourable Sir Harry Haig: I would say, Sir, that such an atmosphere cannot be obtained as long as civil disobedience is an active policy.

Mr. C. S. Ranga Iyer: Are Government aware that their detention compels a large part of Indian public opinion to look unfavourably upon any proposals made by His Majesty's Government?

The Honourable Sir Harry Haig: No, Sir; I do not accept that as a fair representation of Indian public opinion.

Mr. C. S. Ranga Iyer: Are Government aware that Indian public opinion is influenced by the detention, and views to some extent unfavourably any proposals that Government may make?

The Honourable Sir Harry Haig: I hope that is not so; but, as I have said, the key to the whole situation lies in the question of the civil disobedience movement.

Mr. C. S. Ranga Iyer: Are Government aware that the only way to induce Mahatma Gandhi and his followers to abandon the civil disobedience movement is to release them and to trust them to carry on the untouchability campaign?

The Honourable Sir Harry Haig: That policy, Sir, was tried before and it did not have very successful results.

Mr. C. S. Ranga Iyer: Are Government aware that the continued detention of Mahatma Gandhi and his followers would maximise the difficulty of implementing in practice any proposals embodied in an Act of Parliament?

The Honourable Sir Harry Haig: Will the Honourable Member explain why the initiative should not come from the other side?

Mr. C. S. Ranga Iyer: For the very simple reason that Mahatma Gandhi applied for an interview with His Excellency the Governor General on landing at Bombay and the interview was not granted and he was put in prison, will Government be pleased to consider the advisability of resuming the *status quo ante* and granting the interview?

The Honourable Sir Harry Haig: I am afraid I cannot accept as accurate the description just given by the Honourable Member of what happened. My own recollection of the matter is that the Congress declared civil disobedience and then Mr. Gandhi offered to discuss the matter under that threat with the Governor General.

Mr. O. S. Ranga Iyer: Is it not a fact that Mahatma Gandhi in his letter to the Governor General offered fully to co-operate with the Governor General and the men on the spot both in the United Provinces and in the North-West Frontier Province inquiring into the situation, and if he found that Government were right, to give a right lead to the Congress and repudiate those who were in the wrong?

The Honourable Sir Harry Haig: I do not know what would have satisfied Mr. Gandhi at that time as to whether Government were in the right or not, but the position was that after holding their hands for a very long time Government had at last been forced into action; and it was at that late stage that Mr. Gandhi apparently was prepared to inquire into the matter. It would have been better if he had inquired into the matter and restrained his followers while yet there was time.

Mr. O. S. Ranga Iyer: Do Government recognise that a gesture of goodwill is vital to the future of Indo-British relationship?

The Honourable Sir Harry Haig: I think, Sir, the whole policy of the British Government indicates quite clearly their goodwill and their hopes of the future.

Mr. O. S. Ranga Iyer: Are Government aware that the continued detention of Mahatma Gandhi and his supporters persuades great masses of people to concentrate upon grievances attention which requires to be given to proceedings of the highest importance?

The Honourable Sir Harry Haig: I quite admit that the continuance of the present situation is unfortunate. It has always been the position of Government that they are anxious for the co-operation of every section of Indian opinion, but they cannot buy that co-operation at the cost of the peace of the country.

Mr. S. O. Mitra: Is it not fair that Mahatma Gandhi and other Congress leaders should have facilities to consult among themselves to determine their attitude towards the new constitution and to consider whether they should change their policy about the civil disobedience movement?

The Honourable Sir Harry Haig: There are quite a number of Congress leaders, who are free, to consult among themselves.

Mr. Gaya Prasad Singh: Is it not a fact that Lord Irwin, when he was Viceroy of India, granted repeated interviews to Mahatma Gandhi even when the civil disobedience movement was in full swing?

The Honourable Sir Harry Haig: Is the Honourable Member suggesting that we should repeat the experiment of the past?

Mr. Gaya Prasad Singh: The Honourable Member said just now that His Excellency Lord Willingdon refused the interview, because it was sought under a threat of civil disobedience. My question was whether his predecessor did not grant repeated interviews to Mahatma Gandhi even when he had started the civil disobedience movement and when that movement was in full swing.

The Honourable Sir Harry Haig: I think the Honourable Member must be referring to a period when it was understood that Mr. Gandhi was very anxious to call off the civil disobedience movement.

Mr. T. N. Ramakrishna Reddi: Is it not a fact that Mr. Gandhi is under a vow not to discuss any political questions as long as he is in jail and he is only discussing questions regarding temple entry and such other matters with the Congress leaders who are near him?

The Honourable Sir Harry Haig: It is perfectly true that the special facilities that have been extended to Mr. Gandhi in jail apply only to the question of temple entry and untouchability.

Mr. T. N. Ramakrishna Reddi: As Mahatma Gandhi is under a vow not to discuss any political questions with the other Congress leaders near him as long as he is in jail, will Government create opportunities for him to discuss these political questions with other leaders and form his conclusions with regard to the continuance or otherwise of the civil disobedience movement?

The Honourable Sir Harry Haig: No, Sir; I am afraid the discussion of these questions with persons who are still in jail presents insuperable difficulties. What I said in answer to the previous question was that many of the Congress leaders are out of jail and they are perfectly in a position to discuss these questions. I did not suggest that they could discuss them with Mr. Gandhi.

Mr. Gaya Prasad Singh: Will Government say whether they consider the civil disobedience movement so strong that the release of Mahatma Gandhi and other political prisoners will be detrimental to the public peace?

The Honourable Sir Harry Haig: The position is that unless we get a clear assurance that a release would not be followed by a recrudescence of the civil disobedience movement, we are clearly not justified in releasing any one.

Mr. Gaya Prasad Singh: In the absence of any assurance from Mahatmaji and the Congress, do I take it that the Government of India consider that the civil disobedience movement is so strong that the release of Mahatmaji and the other political prisoners will be prejudicial to the public peace? That was my question.

The Honourable Sir Harry Haig: At the present moment the civil disobedience movement is still in operation and we consider that it could undoubtedly be revived.

Mr. Gaya Prasad Singh: May I take it that the operation of the Ordinance and the law which was enacted is still ineffectual in coping with the situation?

The Honourable Sir Harry Haig: I did not say that it was ineffectual. As it operates at present, I think that the measures we have taken are effective; but if we relax those measures before we get any assurance that it is not intended to take advantage of such relaxation to resume those activities, then that is obviously a dangerous thing to do.

Mr. O. S. Ranga Iyer: Is it not a fact that after the starting of the anti-untouchability movement by Mahatma Gandhi, a number of prisoners who came out of prison did not go back into the civil disobedience movement, but carried on this anti-untouchability work, as a result of which you have today in the prisons of India perhaps one-fourth of the political prisoners who were to be found there during the civil disobedience movement at its fullest height?

The Honourable Sir Harry Haig: It is perfectly true that for some months past the majority of persons who have come out of jail have not resumed active civil disobedience activities.

Mr. O. S. Ranga Iyer: Is that not an indication, then, that the civil disobedience movement is being abandoned and will Government now make a gesture of goodwill, seeing that the civil disobedience movement is being substituted by the constructive movement of removal of untouchability?

The Honourable Sir Harry Haig: No: I cannot say that I am satisfied of that.

Sir Hari Singh Gour: Is it a fact that at the close of the third Round Table Conference Sir Tej Bahadur Sapru and his colleagues made an appeal to the Secretary of State that in order to ensure a better condition in India for the reception of any proposals His Majesty's Government might make on the constitutional issue, Mahatma Gandhi and the non-violent political prisoners should be released and the Secretary of State is understood to have given a favourable reply? I wish to know as to what action the Government of India have taken in furtherance of the proposal made and the reply given by His Majesty's Secretary of State for India.

The Honourable Sir Harry Haig: My answer is one which I have already suggested before—that there cannot be one-sided action on the part of the Government—and we are not satisfied under present conditions that the release of political prisoners would in fact result in the restoration of peaceful conditions throughout the country.

Sir Hari Singh Gour: That was not a condition which the Secretary of State made in giving his reply to the Round Table Conference at any rate?

The Honourable Sir Harry Haig: Nor are we satisfied that the release of all political prisoners would mean the acceptance of the new constitution. There is nothing at all to suggest such a result.

Sir Hari Singh Gour: Did the Secretary of State make any condition at all in response to the request made by the Round Table Conference delegates, and was it not a promise by implication that he would favourably consider the request addressed to him at the conclusion of that Conference?

The Honourable Sir Harry Haig: I do not read the Secretary of State's speech as conveying any such promise, but merely an expression of goodwill which is shared entirely by the Government of India.

Sir Hari Singh Gour: I want to know how that goodwill has been translated into action by the Government of India *cum* the Secretary of State?

Mr. Gaya Prasad Singh: By continuing repression!

The Honourable Sir Harry Haig: The goodwill is there and it can be tested at any time.

Mr. N. N. Anklesaria: Do Government know that a large section of the Indian people is absolutely sick of Mr. Gandhi and his movement?

The Honourable Sir Harry Haig: I think that is a very fair expression of opinion on behalf of a section of Indian opinion.

Mr. S. O. Sen: I understood from the Honourable Member's answers that he wanted to know why no initiative had been taken by Mahatma Gandhi to bring about peace, etc., or to remove the civil disobedience movement: civil disobedience movement being a part of the non-co-operation movement, do not the Government think that by asking the Government to support the Temple Entry Bill Mahatma Gandhi has given up his non-co-operation movement and initiated the cessation of the civil disobedience movement which my Honourable friend asked for?

The Honourable Sir Harry Haig: I am afraid, Sir, I cannot put that interpretation on Mr. Gandhi's action. I have to judge Mr. Gandhi by his own statements. The Honourable Member is aware that Mr. Gandhi recently issued a very interesting statement; and, in the course of that statement, he says: "I have used all the talents I have for civil disobedience," and though it is perfectly true that at the moment he explains that while he is in jail he is not in a position to use these talents for civil disobedience, there is nothing to suggest that he would not use them again as soon as he was released.

Mr. S. O. Sen: At that time Mahatma Gandhi has not expressed any intention of co-operating with the Government or seeking Government's help in connection with the temple entry movement: since then he might have changed his mind and he has now asked Government's co-operation in connection with the temple entry movement. Do not the Government now think that Mahatma Gandhi has changed his opinion regarding the civil disobedience movement?

The Honourable Sir Harry Haig: No; t' e statement I referred to was issued, I see, on the 14th of January, very recently.

Mr. O. S. Ranga Iyer: Are the Government aware of another statement, or perhaps the same statement—I do not know—which Mahatma Gandhi issued which contained words to this effect: when he was asked whether the civil disobedience movement should be conducted by his followers, he evaded that question and did not answer it, but answered the question relating to the pursuit of the anti-untouchability movement, thereby attaching greater importance to the anti-untouchability movement itself?

The Honourable Sir Harry Haig: It is quite true that Mr. Gandhi did not give a definite reply on the question of his attitude towards civil disobedience, but his statement is, I am afraid, open to quite a different interpretation to the one which my Honourable friend would like to put upon it. I would like to refer to the issue of the *Bombay Congress Bulletin* of the 17th January in which, commenting on that statement, they say: "This statement clearly implies that those Congressmen who believe in the civil disobedience movement should go on doing it with all their enthusiasm and vigour".

Mr. K. C. Neogy: In view of the fact that my Honourable friend is in perfect agreement with Mr. Anklesaria that the vast majority of the people are sick of Gandhiji and his movement, what risks are there if Mahatma Gandhi restarts the movement of civil disobedience when he is let out?

The Honourable Sir Harry Haig: I think my Honourable friend must have misheard my answer to Mr. Anklesaria's question: I did not say the vast majority of the people in this country.

Mr. K. C. Neogy: What exactly did the Honourable Member say?

The Honourable Sir Harry Haig: I think I said a section of opinion.

Mr. K. C. Neogy: Is it then a small section?

The Honourable Sir Harry Haig: I cannot embark on a definition of section.

Mr. T. N. Ramakrishna Reddi: In answer to a question the Honourable Member said that Mahatma Gandhi had opportunities of discussing political questions with Congress leaders in jail

The Honourable Sir Harry Haig: I never said that.

Mr. Amar Nath Dutt: Did Mahatma Gandhi ask for any facilities to carry on the anti-untouchability movement?

The Honourable Sir Harry Haig: He did certainly; he asked for certain facilities some months ago which were accorded to him.

MOTION FOR ADJOURNMENT.

RESTORATION OF HALF THE CUTS IN THE SALARIES OF PUBLIC SERVANTS.

Mr. Deputy President (Mr. R. K. Shanmukham Chetty): Order, order.

12 Noon. I have received a notice from Sardar Sant Singh that he proposes to ask for leave to make a motion for the adjournment of the business of the House today for the purpose of discussing a definite matter of urgent public importance as follows,—namely, restoration of half the cuts in the salaries of public servants without any reference to the Indian Legislative Assembly. I have to inquire whether any Honourable Member has any objection to this motion.

The Honourable Sir Brojendra Mitter (Leader of the House): Sir, I object to this motion on two grounds. First of all, it is not an urgent matter. Even if half the cuts are restored, they will not come into operation till the beginning of the next financial year. Secondly, Sir, I would draw your attention to rule 12 at page 17 of the Manual of Business and Procedure which says that: "the motion must not anticipate a matter which has been previously appointed for consideration". This matter can be properly discussed during the Budget debate. It is a matter which has got a definite financial bearing, and any discussion now is bound to be infructuous, because without disclosing the Financial Statement it will not be possible adequately to discuss this matter in isolation from the rest of the Budget. On these two grounds, namely, absence of urgency and anticipation, I oppose the motion.

Sardar Sant Singh (West Punjab: Sikh): Sir, as regards the first objection raised by the Honourable the Law Member, that there is no doubt that the restoration of the cuts will come into operation only from the beginning of the new financial year. But my motion relates entirely to a different matter, which is, that the Government have come to a decision on a very important issue without consulting this House, that is to say the Government have thus extended, reliefs in taxation to one section of the people—probably the least deserving. This is a matter on which this House claims a right to be consulted so that the Members should have been in a position to interpret the feelings of the public in this matter. No doubt, the Government are fully empowered to reduce taxes and relieve any section of the community of such taxes. When the country is groaning under a heavy burden of taxation, there are various sections of the community which stand in need of relief when the time for giving the relief comes. It is the business of this House to interpret the wishes of the public to the Government as to the most deserving section of the people which stood in immediate need of relief. When the Government come to a decision over the head of this House, in my opinion, the Government deliberately ignore the privileges which this House possesses over the taxation proposals of the Government. If it were not necessary to come to this decision or if the question could have been postponed till the Budget discussion, then the Government could have stayed their hands till then, when the views of the House would also have been available to Government. Without reference to this House, without waiting for the Budget to come up, Government have taken the responsibility to issue the communiqué. That is the reason why I regard this motion as one of urgent public importance.

[Sardar Sant Singh.]

As regards the second objection, Government must thank themselves for the position they find themselves in. When they issued the communiqué, they should be prepared to explain to the public at large the reasons which led to this decision; if they are not now prepared to take this House into confidence on such an important matter as this, it is not the fault of this House. Therefore, my submission is that the motion is perfectly in order.

Dr. Ziauddin Ahmad. (United Provinces Southern Divisions: Muhammadan Rural): Sir, this question of cut affects our Budget, and Government, of their own accord, without consulting this House, have incurred a certain expenditure equivalent to five per cent. of the salaries of their officers, and then they will come forward with their new Finance Bill and impose taxation. If we are asked to sanction the taxes, is it not legitimate that we should also be asked to sanction the expenditure. The Honourable the Finance Member would probably remember that fresh taxations were imposed upon us by the Finance Bill of November, 1931, and it is very desirable that these taxes should first be removed. I certainly welcome the idea of restoring the cuts even to the fullest extent, and, if possible, even the arrears of pay should be paid back to these Government officers, but, at the same time, it is equally desirable to see whether we can afford to do it. If these cuts are restored by imposing fresh taxation on the poor people, then it is not really a good administration. I think it is very desirable that an announcement should have been made whether the taxations imposed under the Finance Bill of November, 1931, will be continued in 1933-34, and I think we have a perfect right to demand this first. We certainly have a genuine grievance that the Assembly has not been consulted in this matter, and I think this announcement ought to have been delayed till the whole of the Budget had been discussed by this House.

Sir Hari Singh Gour. (Central Provinces Hindi Divisions: Non-Muhammadan): Sir, the question is not so much a question of merits at the present stage, but it is a question of the privilege of this House, and dealing with the question of urgency, I understand that the Secretary of State has undertaken to pilot the Bill in the House of Commons in the immediate future for the purpose of giving effect to the 5 per cent. reduction in the cuts. The Honourable the Leader of the House is not in a position to assure that this Bill will not be introduced within the next few days in the House of Commons when they resume their sittings the day after tomorrow, and there is no knowing as to how soon this Bill may not be introduced in the House of Commons, and, when it is once introduced there, it will be too late for the Legislative Assembly to express its view upon this question. Therefore, I do not think that the Honourable the Leader of the House is right in saying that this is not an urgent matter. This is a matter of extreme urgency. That it is a question of public importance admits of no doubt, because it is a question which affects a very large body of public servants and still a larger body of tax-payers are affected by it. My friend's point was that there would be time enough when the Budget is introduced to discuss it. The second question is answered by the first, that if it is a question which it will be too late to discuss after it is once enacted into law by the British Parliament, then the second question, I submit, becomes irrelevant. On these two grounds, I submit, that the motion is in order.

Mr. N. N. Anklesaria (Bombay Northern Division: Non-Muhammadan Rural): Sir, speaking from a mere lawyer's point of view, I take it that the complaint of my friend, Sardar Sant Singh, was that this House was not consulted before the Government arrived at a decision, but I think this House was also not consulted when the Government imposed the ten per cent. cut. That answers my friend's complaint. Secondly, Sir, the ten per cent. cut was in violation of the contract existing

Mr. Deputy President (Mr. R. K. Shanmukham Chetty): Order, order. The Honourable Member is going into the merits of the question. The Honourable Member must confine his remarks to the point whether the motion moved by the Honourable Member comes within the rules and Standing Orders.

Mr. N. N. Anklesaria: My point simply is that it is not a matter of public importance or urgency on the score that this House was not consulted before the Government arrived at their decision, because the Government have a perfect right to take their decisions without consulting this House as they actually did before when they imposed the ten per cent. cut.

Mr. S. C. Mitra (Chittagong and Rajshahi Divisions: Non-Muhammadan Rural): The Honourable the Mover has raised a very narrow issue, namely, whether the Government have a right to reduce the cut to five per cent. without consulting this House. The larger issue is not before the House, as the Honourable the Leader of the House has truly said that there will be an occasion for it when the Budget is under discussion. So far as the narrow issue is concerned, I submit it is a very urgent matter, it is a specific matter, and it is a matter of public importance.

Mr. Deputy President (Mr. R. K. Shanmukham Chetty): The principles underlying a motion for adjournment of the business of the House have been repeatedly laid down from the Chair in a series of rulings. It was explained on one occasion that the rule provides an opportunity for Members of this House to draw the attention of the Government to a matter of recent occurrence which could not otherwise be discussed under the ordinary procedure of the House. That is the general principle under which motions for adjournment of the business of the House are made. The Honourable the Law Member has taken objection to the present motion on the ground that it comes within the mischief of the rule relating to anticipation, namely, rule 12. The relevant part of the rule reads as follows:

"The motion must not anticipate a matter which has been previously appointed for consideration or with reference to which a notice of motion has been previously given."

The Honourable the Law Member's objection, as the Chair understands it, is that this matter will be discussed during the Budget and, therefore, it comes within the mischief of the rule relating to anticipations. The Chair would also draw the attention of Honourable Members to the fact that notice has been received in the office of the Legislative Assembly Department from Mr. Maswood Ahmad of a Resolution in which he proposes to raise the same question. Therefore, the subject matter of the motion for

[Mr. Deputy President.]

adjournment is covered by notice of a Resolution which has been received in the office. But whether mere receipt of notice of a Resolution by the office is a bar to the making of a motion for adjournment of the business of the House is a point on which the Chair has got the right to give a ruling, and in this matter the Chair can be guided by one of the Standing Orders of the House of Commons. That Standing Order runs as follows:

"In determining whether a discussion is out of order on the ground of anticipation, regard shall be had by Mr. Speaker to the probability of the matter anticipated being brought before the House within a reasonable time."

These are rules for the guidance of the Chair in determining whether a particular motion for adjournment comes within the mischief of anticipation. But, in this particular case, it appears to the Chair that it is not called upon to give a ruling whether the motion of Sardar Sant Singh comes within the mischief of anticipation. The matter that the Honourable Member from the Punjab wishes to raise in his motion is not whether the Government were justified in restoring partially the cut in salaries, but whether they were justified in arriving at that decision without consulting this House. That point has been made clear by the Honourable Member from the Punjab and by other Honourable Members on the Opposition Benches. The one and only point, therefore, which the Chair has now to decide is whether a motion seeking to censure the Government on the ground that they did not consult the House before taking a decision is in order and is admissible as a motion for adjournment. That the matter is definite, there can be no doubt; that the matter is of public importance, there can be no doubt also. What the Chair has to decide is whether under the rules the matter is urgent. Now, in interpreting the word "urgent" which occurs in the Standing Orders relating to adjournment motions, the Chair has to take into consideration the technical meaning of the word "urgent" in the Standing Orders. On this point also there has been a previous ruling. On a previous occasion it was ruled:

"A matter, to be definite, urgent, and of public importance in the sense in which these terms are used in the Standing Order, must have arisen suddenly in the manner of an emergency".

The point is whether the failure of the Government of India to consult this House in a particular matter is one which has arisen in the manner of an emergency. On that, without expressing any opinion, the Chair might say that some people might hold that this is not a matter which has arisen in the manner of an emergency, but often arises as a matter of every day occurrence. Very often, the Government of India take decisions without consulting this House and Honourable Members feel, rightly or wrongly, that they ought to have been consulted. But applying the technical meaning of the word "urgent" to the question whether the Government of India were justified in arriving at a decision without consulting the House, the Chair must come to the conclusion that it is not a matter which technically comes within the meaning of the word "urgent". For this reason the Chair has to rule the motion out of order.

STATEMENTS LAID ON THE TABLE.

Mr. G. S. Bajpai (Secretary, Department of Education, Health and Lands): Sir, I lay on the table:

- (i) the information promised in reply to starred questions Nos. 1690 and 1691 asked by Rao Bahadur M. C. Rajah on the 14th December, 1932; and
 - (ii) the information promised in reply to starred question No. 714 asked by Dr. Ziauddin Ahmad on the 28th September, 1932.
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SHRADHANAND MODEL *BASTI* FOR DEPRESSED CLASSES IN PAHARGANJ, DELHI.

*1690. There is an area called the Shradhanand Model *Basti* in Paharganj, Delhi, on Nazul land.

It is regretted that owing to financial stringency this area has not been provided with the necessary lighting and sanitary arrangements, but the Delhi Municipality, within whose jurisdiction it lies, has had the matter under consideration for some time past and will, it is hoped, remove these difficulties as funds become available.

The dumping ground complained of is at some distance from this area. The question of the removal of all dumping grounds from the vicinity of the city is already under the consideration of the Municipal Committee.

DELAY IN DISPOSAL OF APPLICATIONS OF DEPRESSED CLASSES BY THE NAZUL DEPARTMENT, DELHI.

*1691. No. A large number of applications have been received for the limited number of plots still available for lease and, in order to ensure that plots should be allotted to applicants, who are most in need of them, and who are qualified to hold them under the orders on the subject, an enquiry is being held and the claims of each applicant are being carefully scrutinised. This necessarily takes time but orders allotting the plots will be passed in the near future.

NUMBER OF INDIANS RECRUITED FOR THE SASTRI COLLEGE IN SOUTH AFRICA.

*714. Six Indian teachers were recruited in India on contracts, which were renewable by mutual arrangement for another two years. The contracts terminated on December 31, 1932, and the Natal Administration decided not to renew them.

Mr. G. R. F. Tottenham (Army Secretary): Sir, I lay on the table a statement giving the information promised in reply to part (b) of starred question No. 1595 asked by Sirdar Sohan Singh on the 6th December, 1932.

REFUSAL OF AN ELECTED BOARD TO THE BARODA CANTONMENT.

* 1595. (b) Troops' families	33
Followers	449
Menials	491
Total	973

Besides the above, the civil population of 2,585 includes :

Baroda State officials	157
Pensioners	44
Mission boys	317
Railway servants	69
Total	587

Government do not see any reason to reconsider their decision.

Mr. P. R. Rau (Financial Commissioner, Railways): Sir, I lay on the table:

- (i) the information promised in reply to unstarred questions Nos. 199 and 201 asked by Pandit Satyendra Nath Sen on the 21st November, 1932;
- (ii) the information promised in reply to starred question No. 1642 asked by Mr. Goswami M. R. Puri on the 12th December, 1932;
- (iii) the information promised in reply to starred questions Nos. 1398 and 1535 asked by Messrs. B. N. Misra and M. R. Puri on the 22nd November and 5th December, 1932, respectively;
- (iv) the information promised in reply to starred questions Nos. 1460, 1461, 1462, 1463, 1469, 1470 and 1473 asked by Mr. K. Ahmed on the 28th November, 1932;
- (v) the information promised in reply to starred questions Nos. 1539, 1540 and 1541 asked by Mr. Goswami M. R. Puri on the 5th December, 1932; and
- (vi) the information promised in reply to starred question No. 1471 asked by Mr. K. Ahmed on the 28th November, 1932.

COMPULSORY LEAVE FOR SIGNALLERS ON THE BENGAL AND NORTH-WESTERN RAILWAY.

199. (a) and (b), (i), (ii) and (iii). The Agent, Bengal and North-Western Railway, reports that seven junior signallers who became surplus to requirements, owing to the installation of block instruments on the main line and the reduction of work generally, were placed on compulsory leave instead of being brought under reduction, in March, 1932. Three of these were re-absorbed within a month and the remainder have since been absorbed. The removal of these men temporarily did not in any way affect the remaining staff.

NEW LEAVE RULES FOR SUBORDINATE STAFF ON THE BENGAL AND NORTH WESTERN RAILWAY.

201. (a) No.
(b) Does not arise.

SYSTEM OF MEDICAL EXAMINATION ON THE RAILWAYS.

*1642. Government are not aware that the staff regard the present C system of medical examination, by which, it is presumed, is meant the system of testing distant vision by Landolt's Split Rings, as a difficult test.

It is considered that the Landolt's Split Rings test is based on improved scientific principles, affords more uniform results, permits of more accurate estimation of visual acuity, and safeguards the interests of all concerned, including the travelling public, better than the Army 'dot' test, which it is presumed the Honourable Member refers to by the 'Dott System'.

Government do not consider that it is sufficient for Transportation staff to be tested only for their ability to read coloured light signals with tests carried out by the use of ordinary signal lamps. They are advised that a man with defective colour vision may be able to distinguish the ordinary coloured signal under favourable conditions, but would be liable to make mistakes under unfavourable working conditions. They consider it necessary to adopt, in the interests of the travelling public, as efficient a system of testing for colour vision as possible.

The staff whose vision is examined every third year are those employed on duties involving the interests of public safety. Periodical examination of vision is necessary to detect the deterioration of vision which may occur from various causes, and the period of three years has been fixed after careful consideration.

Government regret that the information asked for regarding the list of accidents due to short vision of the staff during 1932 is not readily available.

INDIAN MEDICAL DEPARTMENT ASSISTANT SURGEONS EMPLOYED ON THE NORTH WESTERN RAILWAY.

*1398 and 1535. (a) 11.

(b) 10.

(c) It is proposed to transfer one officer to another state-managed Railway when a vacancy arises.

EAST INDIAN RAILWAY EMPLOYEES.

*1460, 1461, 1462 and 1463. It has been reported by the Agent, East Indian Railway, that after an investigation by his Chief Operating Superintendent into the alleged grievances he found it unnecessary to take any action on them. Government regret they are not prepared to collect information regarding the number, designation, and length of service of the old East Indian Railway employees working in the O. & R. R. section and *vice versa*.

SCALES OF PAY OF LOWER SUBORDINATES ON THE EAST INDIAN RAILWAY.

*1469. Government are informed that at present there are three scales in force on the East Indian Railway:

(a) The old Oudh and Rohilkhand Railway scales which are applicable to the Oudh and Rohilkhand Railway employees working on that section.

(b) The old East Indian Railway scales which are applicable to the old East Indian Railway employees working on the East Indian Railway section.

(c) Revised scales of pay applicable to all new entrants on the combined system.

PROMOTION OF OUDH AND ROHILKHAND RAILWAY EMPLOYEES TO THE HIGHER GRADES ON THE EAST INDIAN RAILWAY.

*1470. The reply is in the negative.

OFFICIATING APPOINTMENTS OF INDIAN STATION MASTERS AND ASSISTANT STATION MASTERS OF THE EAST INDIAN RAILWAY AS GUARDS.

*1473. Government are informed that there is no such differentiation. The practice on all these divisions is the same. The staff referred to are not utilised normally as Guards of trains, but in emergencies, such as if a Guard is incapacitated from working his train, they may be temporarily called upon to work as a Guard.

RAILWAY QUARTERS ON THE EASTERN BENGAL RAILWAY.

*1539. (a) No.

(b) The reply to the first part of the question is in the affirmative.

As regards the second part, the Agent reports that railway quarters are not classified as European and Indian, but are classified in various types for different grades of employees in accordance with the rates of salary. Owing to differences in the style of living of employees of different nationalities, certain quarters have been built suitable for the European style of living and others for the orthodox Indian style, and are allotted to employees according to their choice as to the style of living.

(c) and (d). Guards are not entitled to railway quarters, but in view of the house shortage in Calcutta for this class of staff certain quarters of European style, arranged in blocks of flats, were built about 20 years ago, more recently, in 1930, owing to the increasing difficulty in finding sufficient accommodation of Indian style, 12 'W' type quarters were built for lower paid Guards. It was the intention to build further, including superior type quarters, but the financial stringency has, for the present, prevented this. As a result of representations from the Indian Guards themselves, these 'W' type quarters have been allotted in order of seniority and are sometimes occupied by employees drawing salaries higher than those of the employees for whom the quarters were intended, and in some cases higher than those of the employees occupying the European style quarters. The latter quarters are not entirely suited for those living in the Indian style, and it is reported that as far as is known there has been no demand for them by such persons.

(e) The practice on the Eastern Bengal Railway does not, so far as I am aware, contravene the instructions contained in the memorandum by the Railway Board on the elimination of racial discrimination in railway services, which is apparently the statement referred to by the Honourable Member.

QUARTERS FOR EUROPEAN STAFF AT SEALDAH.

*1540. (a) No.

(b) The total rent realised at present is Rs. 94-10-0 per month and is higher than the assessed rent of these quarters.

(c) The maximum rate of rent normally realised from the occupant of a standard 'W' type quarter on the Eastern Bengal Railway is Rs. 7-8-0 per month, and that for a standard 'Z' type quarter is Rs. 12-8-0.

RACIAL DISCRIMINATION IN THE CLASSIFICATION OF QUARTERS AT SEALDAH AND OTHER PLACES.

*1541. (a) and (b). The position has been explained in the reply to question No. 1539 above.

REVISION OF PAY OF CERTAIN POSTS ON THE EAST INDIAN RAILWAY.

*1471. The scales of pay for the subordinate staff of the East Indian Railway for new entrants which were revised with effect from the 1st August, 1928, affected all categories of staff mentioned by the Honourable Member.

THE HEDJAZ PILGRIMS (MUALLIMS) BILL.

PRESENTATION OF THE REPORT OF THE SELECT COMMITTEE.

Mr. G. S. Bajpai (Secretary, Department of Education, Health and Lands): Sir, I beg to present the Report of the Select Committee on the Bill to regulate the activities of persons in British India who offer to assist Muslim pilgrims to the Hedjaz.

THE CHILDREN (PLEDGING OF LABOUR) BILL.

Mr. Deputy President (Mr. R. K. Shanmukham Chetty): The House will resume consideration of the following motion moved by the Honourable Sir Frank Noyce on the 1st February, 1933:

"That the Bill to prohibit the pledging of the labour of children, as reported by the Select Committee, be taken into consideration."

Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rural): In continuing my debate on this Bill which seeks to prohibit the pledging of the labour of children, I must warn the House to be very careful before they agree to the elimination of the proviso attached to clause 2. Clause 2 created great trouble in the Select Committee in which I also took part. It was after great consideration that the Select Committee came to the conclusion to clear off the mischief which would otherwise be contemplated by clause 2. Clause 2, as it stands, prohibits the taking into service of children under 15 years of age for any employment if that employment is given or made through the parents. This is a general section

Mr. A. G. Olow (Government of India: Nominated Official): On a point of order. This proviso relates to clause 2. Is the Honourable Member in order in discussing this particular clause on a motion for general consideration?

Mr. Deputy President (Mr. R. K. Shanmukham Chetty): Is the Honourable Member taking clause 2 particularly for criticism just now?

Mr. Lalchand Navalrai: I am speaking on the whole Bill. I will go to other clauses. I am not taking this clause alone.

Mr. D. G. Mitchell (Secretary, Legislative Department): Is the Honourable Member in order in discussing the Bill clause by clause just now?

Mr. Deputy President (Mr. R. K. Shanmukham Chetty): Do I understand that the Honourable Member proposes to take the Bill clause by clause and discuss it just now?

Mr. Lalchand Navalrai: No, Sir, I know this is the stage for general discussion. In discussing this generally, I am going to show that this is one of the matters which is very hard, unless and until some remedy is provided against it. I submit, as it stands, the Bill does not, without this proviso, carry out the object and reason for which this Bill has been introduced.

Mr. D. G. Mitchell: May I inquire whether this speech of the Honourable Member would not be better made on the motion to omit this proviso?

Mr. Lalchand Navalrai: I am only referring to it, because some objections were raised the other day and certain amendments had been offered. I only submit that this Bill should stand within the object for which it has been introduced. We should agree to certain conditions being put which will enable children under 15 years of age to be employed for domestic and agricultural purposes on remuneration with the consent of their parents. This Bill aims at stopping the exploitation of children under indentures, and not the employment of even boy servants that we have in our houses should be held to be such as would come under the penalty of this Bill. Some Honourable Members now say that it is not the object. I submit that clause 2 is so general that it would include, and, I say it with emphasis, it will include the cases I am thinking of if the proviso is not there. I do support this Bill with only the exception for which I have already given my note of dissent, that is that the burden should lie on the prosecution to prove that any agreement that has been made will come under clause 2 and it should not be left to the accused to come forward and say that it comes within the proviso. That is the main object with which I am raising this objection to the Bill and, subject to that, I do accept this Bill as it has come out amended from the Select Committee. If the object is to stop exploitation of children and to stop indentures of a particular nature which are wrong, then certainly the burden would be on the prosecution to prove that the agreement comes under clause 2. Apart from it, the fundamental law, the elementary principle in the first instance places the burden on the prosecution and they must establish *prima facie* that the man who made the agreement came within the purview of the clause which restricts such agreements being made. It is easy for the Government to prove it. In many cases these indentures will be in writing and, apart from the writing, there will always be certain evidence in their possession to show that the case came under clause 2. Why should this be an exception to the general rule that the burden is on the prosecution? If a *prima facie* case is made out, then certainly the burden would be shifted to the accused to show that the case was covered by the proviso and that the child was engaged for reasonable remuneration on terms which could be dissolved with a week's notice. Sir, subject to this view, I support the Bill.

Raja Bahadur G. Krishnamachariar (Tanjore *cum* Trichinopoly: Non-Muhammadan Rural): I oppose this motion. I am afraid this Bill was introduced and considered without reference to conditions existing in the country. The word "pledged" is not defined in the Act. So we have got to see what really the Government or the framers of the Bill intended to lay down when they say that a child's labour should not be pledged because I find that there is a proviso which says "not made in consideration of any benefit other than reasonable wages to be paid for the child's services, and terminable at not more than a week's notice", etc.

The first and the most important thing that, I say, exists in the country and that has not been taken into consideration is this. In agricultural parts you have got an adult who serves under one of the landholders. He has got a boy about nine or ten years old and this landholder has got

half a dozen heads of cattle. Now this servant says that the wages that he earns are not sufficient for him to keep body and soul together. What happens is that this young fellow is put on to graze the five or six heads of cattle and, at the end of the year, he gets a certain amount of grain as compensation during harvest time. Now, I want to know whether this is pledging of labour. There is no definition of it and all that the Bill seeks to do is to prevent the pledging of the service of children where the service involves some hardship or cruelty to the children. Who is going to decide that the grazing of cattle involves hardship or cruelty to the child or not? And it is peculiar, Sir, that throughout the Act there is not a single word to warn either the people who employ these children or the Courts before whom eventually such cases will come up that it is incumbent upon them to find out whether the service or the pledging even of service is such that it would involve cruelty or hardship upon the child. Now that is not fair to the country and to the vast mass of the agricultural population amongst whom certainly young children are employed to leave this open. Then, during the harvesting season—I do not know if Honourable Members are aware—it is the custom in Southern India to pick up portions out of the whole grain to provide for the seed for the next season, and what they do is that they cut the whole grown plants and put the parts into fields where grazing goes on and then select the whole grain grown for seeds. Now, that, I hope, is not an offence under the Act. Again, for that there are no wages. Now, after harvest, a certain quantity of the grain is given to the boy. Now, these things are not made plain, and such boys have thus what is really false sympathy extended to them in the guise of protecting labour—and they say, this ought not to be done and that ought not to be done. I submit, Sir, that it is not at all a correct way of looking at the conditions in the country. Therefore, the first and the most important thing that Government or those gentlemen who were on the Select Committee ought to have done is to lay down specifically that the labour which they want to prohibit is labour which involves cruelty and hardship on the child, and which prevents its growth and development in the proper manner so that the child can grow into normal manhood. That, I understand, is the object and I can quite understand it.

There are provisions similar to that, for instance, in the Factory Act where children are not allowed to work in a factory, except under conditions laid down under the Act. Now, that sort of condition does not apply to agricultural labour any more than it does to domestic labour. Sir, what happens in our households is this. These little fellows, who have not got anything else to do, are given some work in the house and probably during *Diwali* or during *Pongal* or any of these festivals they are given a present or clothes, or they may be given some cash wages or whatever it is. Now, because there are no regular wages, there is no question of a week's notice. On the contrary, the boys may stay away whenever they like. So, I submit, that in the absence of a clear indication of these points in this Bill, in its present form, it ought not to be allowed to go further. These things should be made clear, and that is my first objection.

Mr. K. Ahmed (Rajshahi Division: Muhammadan Rural): Read the Report of the Royal Commission on Labour.

Raja Bahadur G. Krishnamachariar: So far as the proviso is concerned, I shall not trouble the House now, because I find there is a motion under it and I think it is not in order to speak on that just now. That, Sir, is my submission.

The Honourable Sir Frank Noyce (Member for Industries and Labour): Sir, I am glad to find that this discussion has fully justified the confidence I expressed at the commencement that this Bill would generally commend itself to all quarters of the House. Only two discordant notes have been struck—one by my Honourable friend, Mr. Jog, and the other now by my Honourable friend, Raja Bahadur Krishnamachariar. Mr. Jog has been so fully answered by other Honourable Members that I need not refer to what he said, especially as I have already dealt with the conditions of child labour in my opening speech. As regards what has fallen from Raja Bahadur Krishnamachariar, I think that he has shown a complete misapprehension of the scope of this Bill. I do not know whether he was present when it was last discussed, but, as was then continually emphasized, we are not concerned with the question whether there is any cruelty involved to children. I stated very definitely in my opening speech that what we object to is anything that savours of the principle of indenture. That is what we strike at, and if in so doing, we also diminish the risks of cruelty to a child, well, so much the better. Raja Bahadur Krishnamachariar mentioned two instances, in regard to which he wants to know what the position is, namely, in regard to children who are employed in agriculture or domestic labour and who do not apparently receive regular wages but are given a certain amount of grain at harvest time or clothes at *Diwali*. I think it is obvious, Sir, that child labour of that kind does not come within the scope of this Bill. The Raja Bahadur complains that there is no definition of the word "pledge". It is not necessary to define the word "pledge" in this Bill: you have only got to turn up a dictionary to find out exactly what it means. It means that you get an advance against something. You go to a pawn-broker and you pledge your watch and he gives you money. In this case what is happening is that you pledge the labour of your child against an advance. In the case mentioned by Raja Bahadur G. Krishnamachariar, there is no such pledge. The children do not get an advance from the landholder or the private employer in whose domestic service they are engaged. There is no advance to them. In fact, it is the reverse. They have to wait for their grain or the clothes. Therefore, Sir, it is, I think, perfectly plain that they do not come within the mischief of this Bill.

As regards the point raised by my Honourable friend, Mr. Lalchand Navalrai, about the burden of proof, as I pointed out in my opening speech, we hold that all agreements in regard to child labour are open to suspicion and, therefore, it is for those who enter into them to prove that they do not come within the mischief of the Bill. He complained that no lawyer in this House had spoken on this point. I would remind him that the Select Committee was presided over by a distinguished lawyer, Sir Hari Singh Gour, that it included the Secretary of the Legislative Department and also that my Honourable colleague, the Law Member, was present throughout its deliberations. If they are satisfied on this point regarding the burden of proof, I submit that this House may well also be satisfied. I would again, Sir, commend this measure to the consideration of the House.

Mr. Deputy President (Mr. R. K. Shanmukham Chetty): The question is:

"That the Bill to prohibit the pledging of the labour of children, as reported by the Select Committee, be taken into consideration."

The motion was adopted.

Mr. Deputy President (Mr. R. K. Shanmukham Chetty): The question is that clause 2 stand part of the Bill.

Mr. K. P. Thampan (West Coast and Nilgiris: Non-Muhammadan Rural): Mr. Deputy President, I beg to move:

"That in clause 2 of the Bill, the proviso to the definition of an 'agreement' be omitted."

It is obvious, Sir, that the proviso which was incorporated by the Select Committee considerably whittles down the scope of the Bill. If you will take the pains to read the clause, you will find that there are more than two anomalies in it. In the first place, it is said "provided an agreement, made without any detriment to the child", etc. Unfortunately, the word "detriment" is not defined in this Bill and God alone knows what is detriment and what is not. Further down, you will find "not made in consideration of any benefit other than reasonable wages". Now, what is a reasonable wage? What I think is a reasonable wage may appear quite unreasonable to another man. That is also indefinite and it has not been defined. The only definite thing in this clause is a week's notice. Now, pledging is repugnant whether it be ended within a week or within a year. Time is of no material concern. I, therefore, consider that this proviso strikes at the root of the sanctity of human life, the very principle for which this legislation is undertaken and I consider that this proviso ought to be omitted. I hope I need not labour the point. I commend my amendment for the acceptance of the House.

Mr. Deputy President (Mr. R. K. Shanmukham Chetty): Amendment moved.

"That in clause 2 of the Bill, the proviso to the definition of an 'agreement' be omitted."

Diwan Bahadur Harbilas Sarda (Ajmer-Merwara: General): Sir, I rise to support the amendment moved by my friend, Mr. Thampan. I also gave notice of an amendment in almost identical terms. To my mind, Sir, the insertion of this proviso to the definition of "agreement" amounts to the giving of protection to the children by the right hand and taking it away by the left hand. The proviso nullifies completely, absolutely and utterly the object of the Bill. The object of the Bill is not to prohibit the employment of children in any service, domestic, agricultural or industrial. The Bill has nothing to do with the employment of children at all. Its principle is that no child labour shall be pledged. Pledging is a different thing from employment. In employment, there is no element of compulsion; in pledging, there is an element of compulsion. It is against this element of compulsion that this Bill is directed and the way in which this element of compulsion is to be eliminated from the employment of children is by declaring that any arrangement, which imports an element of compulsion in the employment of the labour of a child, is an agreement which is void and which is illegal. This is the way in which they want to get rid of that thing. That being so, if you put in a proviso which will take out of the definition of agreement certain agreements having the same object, it practically nullifies it. The Bill says that any agreement, by which the labour of a child is pledged, is void. Again, it says that any agreement, which pledges the labour of a child, is not an agreement provided that the child is not harmed by it and provided that no more is paid for the labour

[Diwan Bahadur Harbilas Sarda.]

than is ordinarily due as wages, and provided also that that agreement is terminable at a week's notice. How do these three conditions, which are attached to the pledging of labour, take this agreement out of the purview of that definition which is given in the Bill? It is immaterial for the pledging of the labour of a child whether the agreement is terminable at an hour's notice or a year's notice. The object of the Bill is that no pledge should be made and the reason for this is this. If you pledge the labour of a child, for 12 months or six months or three months in advance, this smacks of slavery, because the element of compulsion is there as has been defined by Mr. Sydney Webb, Lord Passfield in the *Contemporary Review* of the last month. In that Review, he says that the essential element of slavery is compulsion or not being able to get away. If anybody, who is employed, has not the right to give up that employment, that smacks of slavery. In the same way, if you pledge beforehand that a child shall continue to work for six months, there is an element of compulsion in it. Consequently, anything, that still allows in that agreement the element of pledge, nullifies the object of the Bill.

Sir, as the Honourable Member in charge of the Bill said, cruelty and hardship have nothing to do with this Bill. They are not elements of pledge. This Bill is directed against pledging and cruelty and hardship have nothing to do with the question of pledge. Consequently, they are certainly irrelevant and we must not confine our attention or at any rate let our attention be diverted by the fact that a certain employment involves cruelty. That must be eliminated completely.

An Honourable Member just now said that if the proviso was taken out of the Bill, then the employment of the children would become impossible. I do not agree that that is right. Employment of the children is nowhere touched by this Bill. Children are now employed in domestic service and on agricultural farms and there they shall continue to be employed. Only their labour shall not be pledged. Employment of children will not be prohibited by this Bill if this proviso is taken out. I, therefore, say with all the emphasis that I command that if this proviso is allowed to stand, the object of the Bill will be frustrated. In the villages and small towns you cannot find people who will differentiate between agreements which are terminable at a week's notice and agreements which are not so terminable. These fine distinctions can be understood by educated and literate people who live in big towns, but out in the country these distinctions are not understood at all. Consequently, as this proviso nullifies the object of the Bill, I will request the House that they should agree to the deletion of this clause. I am glad to say that the Government, when they drafted the Bill, did not have this proviso. It is not a part of the Bill as drafted by Government; the Select Committee have done it. And, instead of improving the Bill, I humbly and respectfully say, they have spoilt the Bill. I only ask that Government should agree to the deletion of this clause and restore the Bill to the position in which it was before it was sent to the Select Committee.

Mr. Gaya Prasad Singh (Muzaffarpur *cum* Champaran: Non-Muhammadan): Sir, with all respect to my two friends who have just spoken, I am sorry I cannot agree with them in their proposal for the deletion of this clause. The matter was very carefully gone into in the Select Committee, and the question raised was whether voluntary employment of children

below 15 years of age should be protected from the purview of this Bill, and it was considered necessary to insert a provision like this. My Honourable friend, Mr. Thampan, has taken objection to this proviso, if I understood him aright, on two grounds. His first ground was that the word "detriment" has not been defined. If it has not been defined, it must take the ordinary dictionary meaning. Secondly, he says that "reasonable wages" is a very vague phrase, and what are reasonable wages in one part of the country may not be reasonable in another part of the country. But, in taking this matter into consideration, we shall have to take into account the reasonable wages that obtain for that particular kind of labour in that particular locality. So the phrase "reasonable wages" must be taken with that meaning, and I do not think that on these two grounds there ought to be any objection to the insertion of this provision.

Then, my friend, Diwan Bahadur Harbilas Sarda, says that if there is an element of compulsion in the employment of a child; it should be prohibited. I quite agree with him, but it is just in order to remove that sort of doubt that this provision, as I understand it, has been inserted.

Sir, it is precisely in order to protect the employment of children below the age of 15 on a voluntary basis that this clause has been inserted. If there is an element of compulsion in the employment of children by pledging their labour beforehand by their parents or guardians, then certainly it must be put down as this Bill seeks to do. But as the House will notice, in the provision which is proposed to be inserted there is no reference to the word "pledge". Therefore, the question of pledging beforehand does not, I think, arise, and I believe that the Select Committee have done the right thing in the circumstances, and they have protected on a voluntary basis the employment of children even below the age of 15 years for the particular kind of employment for which they may be suited. With these few words, I oppose the amendment.

Mr. N. M. Joshi (Nominated Non-Official): Sir, there is no doubt that this proviso has weakened the original clause considerably. Not being a lawyer, I find it difficult to state what the exact implication of this proviso is. I think we are aiming at two things by this Bill. The first aim is that we should prohibit the receiving of advances for the labour of children. As regards that, I am not sure whether we are prohibiting the receiving of advances by this proviso. The proviso says:

"Provided that an agreement made without detriment to a child, and not made in consideration of any benefit other than reasonable wages to be paid for the child's services.....etc."

In my judgment we do not here definitely prohibit the receipt of wages for the child's services in advance, so long as those wages are not below the reasonable wage. It is really for the lawyers to say whether advances are prohibited or not, but to my mind it is not quite clear whether the receipt of advances is prohibited by this clause.

The second thing which we aim at is the prohibition of long contracts for children's labour. There is no doubt that by using the words "terminable at a week's notice" we really make the agreements a week's agreements. But still the agreements are going to be longer than a week, but they can be terminated. It is true that if parties can defend their interests, they can make an agreement of this kind a really week's agreement. But there is a difference between laying down that agreements for

[Mr. N. M. Joshi.]

children's labour shall not be longer than a week and making them terminable at a week's notice. I, therefore, feel that this proviso weakens the intention that there shall not be long agreements for children's labour. This is the only remark, Sir, that I wish to make. The clause, as adopted by the Select Committee, is a sort of compromise between those who wanted the original clause and those who wanted to go beyond that.

Mr. Gaya Prasad Singh: It was done with your consent as you have not appended any note of dissent about it.

Mr. N. M. Joshi: There is no doubt about it.

Raja Bahadur G. Krishnamachariar: Sir, I oppose this amendment and I think there is a bit of confusion about the way this question is being discussed. In the first place, before I proceed further, I think I may dispose of one argument advanced by my friend, Sir Frank Noyce, who said that in the framing of this Bill the question of cruelty was not in our minds at all, but it was the question of consideration. I find that in this proviso which has been added by the Select Committee in which, I suppose, he too was present, it is stated:

"Provided that an agreement made without detriment to a child, etc."

Now, Sir, I am not a master of the English language, but the word "detriment" certainly involves hardship. At times it may verge on cruelty; so that instead of inserting a provision about cruelty or hardship in the body of the section, they have used a word in the proviso which points to the fact that it is only in questions where hardship or cruelty is involved that this Act should be set in motion. I hope my friend, Sir Frank Noyce, will agree with me that it is not fair to insert a word by the backstairs instead of its being inserted in the body of the Bill specifically, honestly and straightforwardly, so that persons who administer the law and persons who come under the law might know exactly where they stand.

Now, as regards this pledging of labour in advance and what my friend, Diwan Bahadur Sarda, characterised as an element of compulsion, one matter that I had intended to speak upon and which I had entirely forgotten is this. Here we are dealing with the agricultural classes as well and a child is defined as a person under 15 years of age. Now, in several cases, a boy of 15 among these classes is a father himself and a girl is certainly a mother at 15 in most cases. What happens is this. There is an agricultural labourer who has got a son of 13 or 14. His marriage is settled and the father comes to me and asks for Rs. 100 or so which the son will work out and repay. It is a good match and he asks for that amount.

An Honourable Member: What about the Sarda Act?

Raja Bahadur G. Krishnamachariar: The Sarda Act is in its last gasp and it will come to an end very soon. I am not a prophet and I do not want to prophesy, but you will soon see how it fares. Everyone is sick of it except perhaps its author. The fact of the matter is that *pace*

your Sarda Act you have got this position among agricultural labourers. I am not talking of agricultural labourers in other parts of the country, but in Southern India in nine cases out of ten we have got to make advances time after time for the purposes of marriage, etc.

Mr. N. M. Joshi: That is a wrong thing to do.

Raja Bahadur G. Krishnamachariar: Mr. Joshi is a carpet Knight and he has absolutely no stake in the country except

Mr. N. M. Joshi: What Knight are you?

Raja Bahadur G. Krishnamachariar: I am a field Knight: My carpet is the field and my business is to cut my grain. Anyway I do not want to be interrupted. The fact of the matter is that I decline to yield to any person in a matter where agricultural labour is concerned, where labour is purely taken as an amateur question, where labour is dealt with without any reference to actual conditions, where labour is being exploited

1 P.M.

—I respectfully submit—for purposes not entirely to its benefit. I say that this proviso has been introduced without reference to actual conditions. Here Mr. Joshi sits and says that it is not proper to make advances for celebrating these marriages. Come to my fields and see what happens. What happens is this: these people take the advance, perform the marriage and the next day they go off to the Straits Settlements: the one hundred rupees is gone. These gentlemen do not understand what is going on. You turn to an agriculturist's book: page after page advances shown: where is the man? Malaya. Where is the man? In Mauritius or gone to some other place. That money is all gone. It is only with the rest of the labour, by the skin of our teeth that we are doing our agricultural work; and here my friend, Mr. Joshi, says "Do not encourage these people to give you work: only do according the Fabian principles laid down by Mr. Sidney Webb and do not insert compulsion". There is no question of compulsion here; but what I want specifically stated here is this: a boy wants to get married; his parents want to get him married, and the girl's parents also want to get the marriage done; there is no money and I give the money: and I have committed an offence according to Mr. Joshi's Bill. It is very necessary that although the Government, as a matter of compromise, even agreed to this very simple proviso, they say even that thing should go; and Mr. Thampan is very angry, because the dignity of labour or the sanctity of labour is involved: what is this sanctity about your labour in the field grazing cattle or sifting grain I cannot understand

An Honourable Member: What is the sanctity of your money?

Raja Bahadur G. Krishnamachariar: The sanctity of people who do not understand these things and shout and simply waste the time of the House; my position is this: this proviso is a small concession to what otherwise would be a drastic provision. Why should these gentlemen come and trouble about these things instead of trying to improve the economic condition of the country? Mr. Joshi, who is very anxious about labour, Mr. Thampan and Diwan Bahadur Harbilas Sarda, they all know that we are all in the last stage of depression. Why do not they divert their energies in such a manner that two blades of grass might grow

[Raja Bahadur G. Krishnamachariar.]

instead of one and then we shall all be happy. Instead of that, why come and put me to greater and greater trouble over these small matters which alone remain for me, and between me and bankruptcy? I would, therefore, respectfully ask this House not to agree to this amendment, but to allow this small mercy to remain in the Bill, and pass it as passed by the Select Committee.

Mr. A. G. Olow: Sir, I find the debate a little confusing. My Honourable friend, Raja Bahadur Krishnamachariar, started, as I thought, to oppose the proviso; but as he went on, it seemed to be clear that he was on the whole in favour of the proviso; though I find it difficult to agree with the arguments that he used in favour of it. If this Bill is going to assist in stopping children being pledged in order to secure advances for their early marriage

Raja Bahadur G. Krishnamachariar: On a point of personal explanation, Sir, may I point out that I opposed the amendment which wanted to omit the agreement which I thought meant that I was in favour of the proviso?

Mr. A. G. Olow: I thought, as he went on, that that must have been my Honourable friend's intention. I would only say again that if the Bill is going to prevent children being pledged in order to secure money that they may celebrate early marriages, that is a very sound argument in favour of the measure. As regards the question of cruelty, what the Honourable Member in charge of the Bill said was that the primary object of it was not to stop cruelty to children. If it has the effect of preventing cruelty, so much the better. Now, the words "without detriment to a child" in the proviso relate to an exception inserted in the Select Committee. Surely if you are excluding certain agreements, you do not want to include agreements which involve cruelty. That, I think, is the object of the words.

The other thing that added to my confusion was that, this House having appointed a Select Committee to examine the Bill and that committee having come to the conclusion that the clause was defective and having inserted a proviso, one Honourable Member, the Honourable Member who moved this amendment, then gets up, having signed the report, and wants to exclude the amendment; and another Member, Mr. Joshi, gets up and says that he is not at all sure about the amendment being a good one. However, to deal with the question on its merits, the object of the proviso can be simply explained. When the Select Committee came to look at clause 2, they found that it sought to explain what is meant by pledging the labour of a child. They found that that meant an agreement of any kind whereby, "in return for any payment or benefit received or to be received", the parent agreed to allow his child to be employed. The case that was put to us was this. Suppose the parent allows his child to enter, say, a factory or workshop, in the ordinary way on the understanding that he will get wages like any other child. Surely the wages that he is going to get are a benefit to be received; and, so, a perfectly ordinary and harmless agreement would come within the mischief of the clause. It was in order to make the intention more clear, to make it clear that all we are trying to get at is the binding down of children who cannot leave, that this proviso was to be inserted. The point raised by Diwan Bahadur Harbilas Sarada has, I think, been answered

by my Honourable friend, Mr. Gaya Prasad Singh, when he pointed out that you can make an agreement for as long as you like, but it would not be an effective restraint, because the child must be able to leave within a week's notice.

Mr. Muhammad Muazzam Sahib Bahadur (North Madras: Muhammadan): Sir, I think I must oppose this amendment. This matter came up before the Select Committee; there were a number of amendments which had been proposed, one of which was that domestic service ought to be excluded from the operation of this Bill; another amendment was that agricultural labour should be outside the scope of this Bill; and, I believe, there were one or two other amendments almost to that effect. To obviate the difficulties that would otherwise creep in if the exception were to be made in the case of one or two amendments and to make the provisions of the Bill of a general nature, the provision contained in sub-clause (2) was introduced and the provision in that sub-clause as to a week's notice was introduced by the Honourable the Law Member himself and we all agreed that, with the introduction of that ingredient in the proviso, *viz.*, of the agreement being terminable at not more than a week's notice, the harm that would otherwise be done by receipt of advances for what is really pledging or the binding down of a child's labour for a certain period would be neutralised. As a matter of fact, Sir, when my friend, Mr. Joshi, said that advances were not prohibited . . .

Mr. N. M. Joshi: I said I was doubtful.

Mr. Muhammad Muazzam Sahib Bahadur: My friend says he is doubtful, but I may tell him at once that the introduction of the element in the proviso as to the termination of this agreement by a week's notice neutralises the effect of any advances which may have been made to bind down a child's labour. So that, in point of fact, if this Bill were shorn of that proviso, it come to this, that I cannot employ the labour of a child, which term is defined as a person under 15 years of age according to this Bill, and there will be great hardship in the employment of children for domestic purposes. In order to obviate that and in order also to obviate the difficulties which would otherwise arise in the employment of children for agricultural purposes in such cases, this proviso was advisedly inserted. Sir, I whole-heartedly oppose the amendment.

The Assembly then adjourned for Lunch till Half Past Two of the Clock.

The Assembly re-assembled after Lunch at Half Past Two of the Clock, Mr. Deputy President (Mr. R. K. Shanmukham Chetty) in the Chair.

Mr. S. O. Sen (Bengal National Chamber of Commerce: Indian Commerce): I oppose the amendment moved by my Honourable friend, Mr. Thampan, and supported by Diwan Bahadur Harbilas Sarda. I do not think that even the original provision, as contained in the Bill, is adequate. What does the Bill aim at remedying? It is said the pledging of child labour. I have not heard of any such thing, but now I hear that there is some sort of custom somewhere in the country, of which I do not know, by which, in consideration of certain payments made to parents, the child is pledged to or it is forced to work for some employer.

[Mr. S. C. Sen.]

Now, under this Bill, as it has been drafted, we find that the pledging of a child is not within the purview of the Bill, but it is only the payment of monies that is aimed at. If you will refer to the definition of an agreement to pledge the labour of a child, it says :

"An agreement to pledge the labour of a child means an agreement, written or oral, express or implied, whereby the parent or guardian of a child, in return for any payment or benefit received or to be received by him, undertakes to . . ."

Therefore, it is the money which is either received or to be received by the parent that comes within the purview of this Bill. Supposing the payment is made to certain other persons, or to the child itself, I do not know whether it will come within the provisions of this clause. The Bill, as it is, says that payment to the parent is objectionable. If that stood alone, that would have brought within its purview all domestic servants. Take the case of an every day occurrence—of a mother with a young child, say, six, seven or eight years of age. The mother works in a house as a domestic servant, and the boy is taken to the house and the master is asked to give employment to the boy to tend another young child in the house. The wage has to be paid to the mother naturally and not to the boy who is aged only six or seven years of age. That would come under the purview of this Bill. But there is a provision by which it is intended to take that sort of case away, namely, the proviso :

"Provided that an agreement, made without detriment to a child, and not made in consideration of any benefit other than reasonable wages to be paid for the child's services. . ."

I stop there. The expression is, "to be paid for the child's services". It does not say to whom the wages are to be paid, whether to the parent or somebody else, or to the child itself. By the principal clause, payment to the parents has been penalised. I do not know whether the proviso refers to the wages to be paid to the parent or to the child. That is not made clear. It seems to me that probably payment to the parent of the child will come within the purview of the first portion of the clause and will not be exempted under the proviso. But assuming that it is not the case which I have put, and which ordinarily occurs in the case of domestic service—those classes of cases may not come under the provisions of the clause. If this proviso is not kept, then all domestic servants, where, according to the custom, payment is made generally to the parent, and prudence also will show that it is not safe to pay the boy who may squander the money in smoking *beeries* or in taking cocaine or other things as is often done in Calcutta, will be affected. In these circumstances, I oppose the motion that the proviso should be taken out. I think it is absolutely necessary that the proviso should be kept, and, if necessary, should be improved upon by making it clear that ordinary wages, paid either to the child itself or on its behalf to the mother or father, should also be protected.

Mr. M. Maswood Ahmad (Patna and Chota Nagpur cum Orissā: Muhammadan): I oppose the amendment moved by Mr. Thampan and support the Bill as amended by the Select Committee. The aim of the Bill is to prohibit the pledging of the labour of a child, and not the labour of the child only. Every one agrees that no one would like to keep a child idle. If that be the aim, and you see the proviso, you will find that only

those agreements, which are without detriment to the child, have not been prohibited. Again, you will find that if this agreement is terminable at a week's notice, then it does not come under the purview of this Bill. That is very essential. If an agreement is terminable at a week's notice, it cannot be called the pledging of child labour. So, I oppose this amendment and support the Bill as amended by the Select Committee.

The Honourable Sir Frank Noyce: I have very little to add to what has been said in opposition to this motion. I should, however, like to endorse Mr. Clow's surprise that it should be moved by Mr. Thampan. I had many surprises in the course of dealing with this measure. I was very much surprised that from certain quarters of the House a voice should be raised in defence of any system which savours of indenture. My surprise in regard to that was, however, nothing to my surprise that Mr. Thampan, who assisted the Select Committee in endeavouring to arrive at a compromise on this, . . .

Mr. K. P. Thampan: On a matter of personal explanation, Sir. May I say that, if I did not protest in the Committee or write a dissenting minute to the report of the Select Committee, it was simply because I had the greatest respect for my Honourable friend, Sir Frank Noyce's sincerity of purpose, and when he expressed the desire to arrive at an agreed formula, I yielded to him.

The Honourable Sir Frank Noyce: I am very grateful to my Honourable friend for his testimony. I could only wish he had carried it a little further by not bringing forward this amendment today. The proviso, as has been remarked, is the result of a compromise, and no compromise can ever be satisfactory to those who hold extreme views. I am prepared to admit that the Select Committee found it a very difficult matter to draft anything that would meet the case. It is possible that this draft is not entirely satisfactory, and that when it comes to be interpreted, difficulties may arise. If that happens, all I can say is that we are quite prepared to take immediate steps to amend it and cast it in a form which will make it easier to work. But until difficulties do arise, we cannot anticipate what they are going to be. I have just one point with regard to what fell from Mr. Sen just now. I would merely say that the important question is not to whom the wages are paid, but with whom the actual agreement is made.

Mr. Deputy President (Mr. R. K. Shanmukham Chetty): The question is:

"That in clause 2 of the Bill, the proviso to the definition of an 'agreement' be omitted."

The motion was negatived.

Clause 2 was added to the Bill.

Mr. D. G. Mitchell: I move:

"That clause 2A of the Bill be re-numbered as clause 3 and the remaining clauses be re-numbered accordingly."

The amendment is purely formal and requires no explanation.

The motion was adopted.

Clauses 3, 4, 5 and 6, as re-numbered, were added to the Bill.

Mr. O. W. Gwynne (Government of India: Nominated Official): Sir, I move:

"That after sub-clause (3) of clause 1 of the Bill the following new sub-clause be added:

'(3) This section and sections 2 and 3 shall come into force at once, and the remaining sections of this Act shall come into force on the first day of July, 1933.'"

I may explain that this does not represent any departmental officiousness. I have been requested by the Honourable Member in charge of the Bill to move this amendment. Normally this task would have fallen upon my Honourable friend, Mr. Clow, but, having been a member of the Select Committee, he feels precluded from doing so. As for the amendment itself, I need only say that the object is to postpone for a short period the coming into force of the penal clauses of the Bill so as to give a short period of grace to employers and parents who may have entered into contracts or agreements which, as soon as this Act comes into force, would be illegal. It would seem only fair to give them a short period to make themselves familiar with the provisions of the Bill so as to enable them to terminate such contracts before becoming subject to its penal provisions. It is for this reason that the Government propose to bring the penal clauses, namely, clauses 5 and 6, into operation on the 1st July. Sir, I move.

The motion was adopted.

Mr. D. G. Mitchell: Sir, I move a small amendment:

"That in sub-clause (1) of clause 1, for the figures '1932' the figures '1933' be substituted."

The motion was adopted.

Clause 1, as amended, was added to the Bill.

The title and the preamble were added to the Bill.

The Honourable Sir Frank Noyce: Sir, I move that the Bill, as amended, be passed.

The motion was adopted.

THE LAND ACQUISITION (AMENDMENT) BILL.

The Honourable Sir Frank Noyce (Member for Industries and Labour): Sir, I move:

"That the Bill further to amend the Land Acquisition Act, 1894, for certain purposes, be referred to a Select Committee consisting of Mr. G. Morgan, Mr. Lalchand Navalrai, Sirdar Sohan Singh, Hony. Captain Rao Bahadur Chaudhri Lal Chand, Raja Bahadur G. Krishnamachariar, Mr. N. M. Joshi, Mr. A. G. Leach, Mr. A. G. Clow and the Mover, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

I must confess that, when this Bill was circulated for public opinion, I did not anticipate that the volume of opinions received would be as great as it has been. I may say at once that I am very far from complaining

about that. To my mind it is eminently satisfactory that a social measure such as this should have aroused so much public interest and also that the Bill should have received a very remarkable amount of support. With hardly an exception, all the opinions that we have received are in favour—and very definitely in favour—of the general principles underlying it. The criticisms which have been received are almost entirely in regard to points of detail, points of detail which I may remind the House were also referred to in the course of the discussion we had on the Bill last September. The two main points on which criticisms have been focussed are the proposal to include individuals as well as companies amongst those on whose behalf land can be acquired for the housing of labour and the adequacy of the safeguards against improper use of the land that has been acquired. While there are a number of suggestions for the alteration of the Bill on both these points, it is only fair to point out to the House that there is almost equal support for the measure as it stands. I have every confidence that all the opinions, both for and against, will receive the full consideration of the Select Committee and I need hardly tell the House that I am not committed to accept any definite conclusions on either side until we have had the advantage of the discussions in the Select Committee. In view of the fact that opinion is so very definitely in favour of the Bill, the House need, I think, have no hesitation in accepting its general principles and in agreeing to my motion for reference to a Select Committee. Sir, I move.

Mr. Deputy President (Mr. R. K. Shanmukham Chetty): Motion moved:

"That the Bill further to amend the Land Acquisition Act, 1894, for certain purposes, be referred to a Select Committee consisting of Mr. G. Morgan, Mr. Lalchand Navalrai, Sirdar Sohan Singh, Hony. Captain Rao Bahadur Chaudhri Lal Chand, Raja Bahadur G. Krishnamachariar, Mr. N. M. Joshi, Mr. A. G. Leach, Mr. A. G. Clow and the Mover, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

Mr. M. Maswood Ahmad (Patna and Chota Nagpur *cum* Orissa: Muhammadan): Sir, I move that Mr. Muazzam Sahib Bahadur's name be included in the list of the members of the Select Committee.

Mr. Deputy President (Mr. R. K. Shanmukham Chetty): Motion moved:

"That the name of Mr. Muazzam Sahib Bahadur be included in the list of members of the Select Committee."

The Honourable Sir Frank Noyce: Sir, I do not object; but I would venture to point out that the names of the members of the Select Committee were decided after consultation with the Leaders of Parties and it seems to me rather going back on the usual arrangement to add names at this stage. I personally have no objection whatever, but I am leaving it to the judgment of the House whether it is desirable, after names have been selected in consultation with Leaders of Parties, to add to them in this House in this way, as obviously that leads to suggested additions from other quarters of the House.

Mr. Deputy President (Mr. R. K. Shanmukham Chetty): To meet the convenience of the House, it has always been the practice for the names of members to serve on a Select Committee to be put down after consultation with Party Leaders, and the Chair would strongly deprecate any attempts to make new proposals when the actual motion is moved. I would like to know from the Honourable Mr. M. Maswood Ahmad whether he thinks it so important as to press his motion.

Mr. M. Maswood Ahmad: I think, Sir, in the list which has been read I did not find any name of a member of the Independent Party. (*An Honourable Member:* "Yes, Sirdar Sohan Singh".) Very well. If that is the view, I do not press my motion.

Dr. Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Sir, I do not stand to oppose the motion, but I would just like to call attention of the members of the Select Committee to one point and that point was also mentioned by the Honourable the Mover and it is the misuse of this Bill.

Sir, when this motion came up for discussion at Simla, I drew attention to the misuse of this Bill and I hope the Select Committee would make a provision that the Bill may not be misused. The point I had in mind and which I still have in mind is this. Suppose a person wishes to acquire some valuable property for the purpose of building some houses for rent. Now he finds that the owner of the property is not willing to sell him the land. He then comes under the shelter of this Bill. He starts a bogus industrial concern, and, in the name of the housing problem, he acquires that particular land and, as soon as that particular land has been acquired and some temporary huts have been built, he closes the business altogether, and, on this particular land, he now begins to build the valuable property which he had in his mind. Now, in a case like this, there ought to be some provision that if, within a reasonable time, this business is closed, the land ought to go back to the original owner,—and the period may be fixed at 20 or 25 years. So, if this provision is made in this particular Bill, then there will be a guarantee that the Bill is not likely to be misused. This is a point which the members of the Select Committee should very carefully scrutinise. They ought to see that the Bill is not misused and that the persons who are the owners of the particular land should not be completely turned out under this Act for *mala fide* purposes. This is the only observation I have to make.

Mr. G. Morgan (Bengal: European): Sir, I support the motion, and the point brought forward by my Honourable friend, Dr. Ziauddin Ahmad, is also one which I have in mind; and if the motion is carried, it will be a point which will be brought forward in the Select Committee. That is all I have to say on the motion now.

Mr. Deputy President (Mr. R. K. Shanmukham Chetty): The question is:

"That the Bill further to amend the Land Acquisition Act, 1894, for certain purposes, be referred to a Select Committee consisting of Mr. G. Morgan, Mr. Lalchand Navalarai, Sirdar Sohan Singh, Hony. Captain Rao Bahadur Chaudhri Lal Chand, Raja Bahadur G. Krishnamachariar, Mr. N. M. Joshi, Mr. A. G. Leach, Mr. A. G. Clow and the Mover, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

The motion was adopted.

THE INDIAN RAILWAYS (AMENDMENT) BILL.

(AMENDMENT OF SECTION 51.)

The Honourable Sir Joseph Bhore (Member for Commerce and Railways): Sir, I move:

"That the Bill further to amend the Indian Railways Act, 1890, for a certain purpose (*amendment of section 51*), be referred to a Select Committee consisting of Mr. K. C. Neogy, Mr. K. P. Thampan, Dr. Ziauddin Ahmad, Mr. S. C. Mitra, Mr. Muhammad Yamin Khan, Lala Rameshwar Prasad Bagla, Mr. R. Smith, Mr. M. Maswood Ahmad, Pandit Ram Krishna Jha, Dr. R. D. Dalal, Mr. P. R. Rau, the Honourable Sir Brojendra Mitter and the Mover, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

Mr. K. C. Neogy (Dacca Division: Non-Muhammadan Rural): Sir, before the Honourable Member proceeds with his speech, may I tell the House that I shall not be able to serve on the Select Committee.

The Honourable Sir Joseph Bhore: Sir, I very much regret that I should have inserted Mr. Neogy's name without a personal reference to him; but I may say that it was after consultation with the Honourable Member's Party that I inserted his name. If any other name is suggested in lieu of Mr. Neogy's name, I shall be only too glad to accept it.

Mr. K. C. Neogy: I may mention, Sir, that I was not present at Delhi when perhaps my Party put forward my name.

The Honourable Sir Joseph Bhore: I merely want to make it clear, Sir, that I followed the accepted practice in putting down Mr. Neogy's name, and I apologize to him if I have caused him any inconvenience by doing so.

It was with some surprise that I read the speeches which were made on the occasion on which this Bill was last before this House. I hope I may be able to meet some of the opposition that was reflected in these speeches, because it seems to me that a good deal of that opposition was the result possibly of a misapprehension. It is only necessary for me now, Sir, to repeat what was said on that occasion. This amending Bill does not propose to add anything to the powers already possessed by the State-managed Railways. These Railways, I am advised, are already authorised by the existing law to run motor-services if they so choose. This Bill also will not apply legally, I am told, to the large Company-managed Railways which are incorporated outside India. If this amending Bill passes into law, the practical effect will be to invest with the powers concerned those small Company-managed Railways which are domiciled in this country, largely Light Railways, in some of which at any rate Local Governments and District Boards are very deeply interested financially. This is a point on which I should like to lay some emphasis. Now I would like to put the case very shortly for these Railways. They were originally built in order to serve areas which had not suitable and rapid modern means of communication and they served their purpose. As general communications improved, other competitive forms of transport stepped in and entered into rivalry with these Railways. Now I would submit, Sir, that in the interests of the country it is essential that that rivalry should not be permitted to drive these Railways to the wall. It will,

3 P.M. I think, be readily realised that Railways must continue to provide inexpensive means for the carriage of the heavy traffic of this

[Sir Joseph Bhore.]

country, the carriage of such things as food-grains, coal, heavy commodities of low value, etc. This is absolutely vital to the country. But, Sir, I would submit that if motor transport is allowed to take the cream of the more remunerative traffic, it is impossible for the Railways to live on the skimmed milk which is left. I would point out that if Railways are to continue, as they must, to provide cheap transport for heavy traffic, then it is essential that they should not be deprived of their share of the more remunerative traffic.

Now, what is it that we are asking in this Bill? We are not asking for any special privilege. We are merely asking that Railways should be relieved of what has become an unfair handicap and disability. We are merely asking that Railways should be allowed to get, if they can, some share of the more remunerative traffic which has been taken away from them. Then, Sir, there is another point which I would like to lay some emphasis upon, because there is likely to be some misapprehension about it. Railway motor vehicles will be subject to the same conditions as regards taxation, control, supervision and regulation as private vehicles. This Bill is not asking that any special privilege should be conferred upon Railways in this matter. It may be true that clause 2 is framed in somewhat general terms. It is for this reason that I have asked for a Select Committee. We can then examine this matter and see whether it is not possible, keeping in mind the objects and intentions of the Bill, to use more definite and restrictive terms. Sir, I have nothing more to say at this stage and make my motion.

Mr. Deputy President (Mr. R. K. Shanmukham Chetty): Motion moved:

"That the Bill further to amend the Indian Railways Act, 1890, for a certain purpose (*amendment of section 51*), be referred to a Select Committee consisting of Mr. K. P. Thampan, Dr. Ziauddin Ahmad, Mr. S. C. Mitra, Mr. Muhammad Yamin Khan, Lala Rameshwar Prasad Bagla, Mr. R. Smith, Mr. M. Maswood Ahmad, Pandit Ram Krishna Jha, Dr. R. D. Dalal, Mr. P. R. Rau, the Honourable Sir Brojendra Mitter and the Mover, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

Dr. Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Sir, I cannot help thinking that the present Bill is a premature one. The Acworth Committee, as we all know, recommended that we should have a separate Department of Communications including all kinds of transport and I had thought that some action on this recommendation would be taken when the new Government of India Act came into operation and the Federal Assembly was established. Now, the whole question has not been tackled, but only a small portion of it has now been taken up, *i.e.*, we have taken up the position of the motor vehicles. The allied question which is very important is this: who will be in charge of the repairs of these roads on which these heavy motor buses of the Railway Department would run? We all know that these roads are not under the Honourable Member who has now presented the Bill. They are under another department and there is bound to be a confusion about the repairs of these roads and various other things. Some of these roads are under local authorities and some under Provincial Government. Therefore, it would be better if the Government of India considered a uniform policy about the communications. They ought to establish a separate Department of Communications which should tackle

with motor transport, the railways, inland steam navigation and other means of transport. That would have been the right course to adopt. But, instead of tackling the problem as a whole and instead of having an exhaustive review of the whole situation, this Bill is brought forward covering only a very small portion of the problem.

My next point is that the Railway Department, as it is constituted at present, is not in a position to undertake any new undertakings. They are not in a position even to set their own house in order. So, a department which is incapable of setting its own house in order is certainly not competent to extend its business. I do not want to dilate on this issue, because we will have plenty of time to discuss this particular question later on. We know that at present there are several difficulties which are responsible for the transfer of traffic from the rails to the road. At present people experience great difficulties in getting wagons. They have to pay a small commission before they can get a wagon: they have to pay tips at every stage before their business is attended to. I drew the attention of the Assembly two years ago to the fact that the office of the Station Master at Chauri Chaura, which is in my constituency, was worth Rs. 4,000. There are other difficulties in the administration to which I drew the attention of the Assembly, namely, that at the junctions the vendors really regulate the time-tables. They intentionally manœuvre in such a way that there is no connection with the corresponding trains, so that they may be able to have good sale. The result is that long distance passengers undergo lot of inconvenience and the short distance passengers for want of time take to motor buses, which is really the quickest way of transit. This is not the first time that I am bringing this matter to the notice of the Assembly. I can give other causes for the transfer of traffic from the rails to the road. So, really speaking, before the Railway Department may be authorised to extend their business, they had better concentrate their attention on the setting of their own house in order and make the necessary improvements. The whole organisation at present is topsy-turvy and it is very desirable that every effort should be made to set things right.

The third point, which is also very important one, is that the Railway Department has got practically no control over its capital expenditure. They spend money like water and in a manner which really yields very little income. I repeatedly mentioned this very thing but the only reply that I have had from the Treasury Benches was that I was irrelevant. Now, I do not know what is the definition of relevancy? I said clearly that during the last seven or eight years the Railway Department had spent about 165 crores on capital expenditure out of which about 118 crores were spent on undertakings which produced no income and only a small sum was really spent on undertakings which yielded some income. The net revenue, as calculated last year, was about one per cent. Now, I am afraid that they will spend large sums of money in purchasing very heavy and expensive motor buses and some of them will be too heavy for the bridges and the roads which are really built for light traffic. Now, this they will discover after the orders for these heavy motor buses have been placed. We have already got the example of the locomotives. Without considering whether the bridges were sufficiently strong and without considering whether the sheds were sufficiently high, they ordered the locomotives of the new type. As soon as they arrived, they found that the rails were not strong enough to bear their weight. They also found that the sheds were too low and

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they had to be altered at extra expenditure. Bridges are being strengthened to carry new locomotives. I am afraid the same thing will happen here. They will order very heavy buses, may be 60 or 80 tons, and as soon as they arrive they will discover that the roads in India are not steady enough and the bridges are not sufficiently strong and therefore the Railway Department will appeal to its sister department of Industries and Labour to repair the roads, undertake new construction of bridges and spend large fortunes. So, first they will spend the poor tax-payers' money in purchasing very heavy buses and transport cars and, afterwards, they will have extra expenditure to rebuild these roads and bridges. I think the record of the Railway Department is not very brilliant. I do not mean dishonesty, but I mean that they cannot say that they have economically spent the money, both recurring and non-recurring. Therefore, at this stage to ask them to extend their business and take up new undertakings is not at all justified.

An Honourable Member: It will relieve unemployment.

Dr. Ziauddin Ahmad: That is my fourth point and I am coming to it just now. I wanted to take it up later, but I will take it up now. At present some people with very little capital daily carry on this business. They run motor buses from one place to another place. They really work from hand to mouth and they just earn their living. This particular trade which provides a living for a very large number of people will entirely disappear. No doubt this will give employment to one or two engineers who are highly paid; it may give employment to some of these highly paid retrenched officers in the Railway Department, but the poor people who are now living on these motor buses will practically have to find their living in some other direction, and since all the departments are now closed. . . .

Mr. N. M. Joshi (Nominated Non-Official): Chauffeurs will be required all the same.

Dr. Ziauddin Ahmad: My friend reminds me about the chauffeurs. My Honourable friend has not seen the list of the railway employees and, if he will examine that list carefully and the nationalities there, and consider it carefully, I think he will withdraw his objection.

Mr. N. M. Joshi: I have no objection: I am simply drawing your attention.

Dr. Ziauddin Ahmad: My fourth point, as I said, was that this will practically take away the subsistence of a large number of people who are now living on motor buses. You may say that some chauffeurs will be required, but the type of chauffeurs that are now running the buses will have no employment whatsoever under this new Railway Department. They will have their own method of work and they will import their own men and their own staff for carrying on the business.

Now, Sir, considering the enormous capital expenditure which will be involved in this new undertaking, and considering the fact that the whole Railway Department needs re-organisation, and it is not desirable to extend the business, but to concentrate their entire attention to local

improvements, I strongly advocate that this Bill ought to wait and it should be taken into consideration when we have formed a Ministry of Communications under the new Federal Assembly. In that case, we may have a special statutory board which will be responsible to the Indian Legislature and that will be in a better position to judge about the business of the railways. Therefore, I strongly advocate that the Honourable the Mover will do greater service to the country if he withholds his Bill and brings it up when the new Government of India Act has come into operation and a new Statutory Board is established.

I may say clearly that if I accept membership of the Committee, I still keep my right to oppose the whole thing when it comes up for consideration before the Assembly.

Sir Hari Singh Gour (Central Provinces Hindi Divisions: Non-Muham-madan): Sir, I wish to move that in place of Mr. Neogy the name of Bhai Parma Nand be substituted.

The Honourable Sir Joseph Bhore: Sir, I am quite willing to accept the motion.

Mr. Deputy President (Mr. R. K. Shanmukham Chetty): The question is:

"That in place of Mr. Neogy the name of Bhai Parma Nand be substituted."

The motion was adopted.

Mr. K. C. Neogy: Sir, the Honourable Member in charge has very frankly stated that he had merely to repeat what had been said before in support of this measure at the earlier stage when it came up for consideration in this House. I would, therefore, be perfectly in order perhaps if I were to follow his example and repeat the criticisms that I had made on that occasion in reply to my Honourable friend. But I can assure the House that I have no desire to do so. I have a good deal of sympathy with my friend, Dr. Ziauddin, when he complained, or at least seemed to complain, that a more comprehensive measure should have been before us by this time. I may remind the Honourable Member that it was about 12 years ago that the Ackworth Committee recommended a thorough overhauling of the Railway Act, and made a specific recommendation that the question of a general revision of the Railway Act should be taken up at the earliest possible moment and that it should be entrusted to the President of the Railway Rates Tribunal as was contemplated by them. I understand, Sir Narasimha Sarma, the late lamented President of the Rates Advisory Committee, did actually go into this question in consultation with the various interests affected; and I should have thought that, instead of bringing up a tinkering measure of this kind, the Honourable Member in charge would place before the House a more comprehensive Bill for the purpose of amending the Railway Act in all its various aspects.

Now, Sir, it will be remembered that when this Bill was discussed on the last occasion at Simla, a good deal of criticism was directed to the defects in the Bill, namely, particularly the want of any safeguards from the point of view of public interests and from the point of view of the interests of the private owners of the present bus services that

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are likely to be seriously affected by this measure. I have got the opinions which have been obtained on this Bill, and I have tried to analyse these opinions. Several Local Governments say that they are not at all affected by this measure and, therefore, they do not want to pronounce any opinion. There is at least one Provincial Government which supports the Bill on the very ground that it is not affected. This is what the Burma Government say :

“The Governor in Council has no objection to the provisions of the Bill, specially as they are not likely to be of practical importance to Burma.”

That is the kind of support which my friend has got! Among those, who have given qualified support, I find that some want a little further time to consider the matter, particularly in view of the inquiry that has been undertaken by two officers, Messrs. Mitchell and Kirkness, into the general question of road-rail competition. Now, some Local Governments say that they are not in a position to express any opinion till they have seen the recommendations of that Committee. I do not know whether that report is available to this House for study; I was not in this country for some time and it may be that the Honourable Member has placed that report before this House. (*Honourable Members*: “No, no.”) My friends say that it is not yet available to the House. I do request my Honourable friend to consider as to whether it is right, when we find that a comprehensive inquiry into the question has been made already by two responsible officers, that a Bill of this nature should at once be referred to a Select Committee, when particularly we have not had an opportunity of considering the recommendations of this particular Committee, and when we find that several of the Local Governments express their inability to give any opinion without seeing the recommendations of that Committee. It is undoubtedly true that the Railway Companies, who are proposed to be armed with authority to run their motor services in competition with the private motor services, are comparatively small undertakings; but, then, this is an issue which affects not merely the small Railway Companies as the Honourable Member himself must be aware being in charge of the Railway Department. It is a problem which is being sought to be tackled all over the world and it is a problem which affects not merely the small Railway Companies, but the bigger ones as well, and this House should like to know what the policy of the Government is in this matter with regard to the general points involved, before they can be expected to give their assent to any principle.

Let us have a more comprehensive measure, if possible, before us which would seek to deal with this serious problem of road competition with railways in all its aspects. My Honourable friend seems to think that most of the criticisms, that were made on the previous occasion, as also those contained in the opinions which we have in our hands, could be met in the Select Committee. I have had some experience of the working of Select Committees and I beg leave to express my doubt as to whether it will be possible to meet all the various criticisms that have been made, by way of amendments to this Bill. As a concrete example, take for instance the suggestion with regard to some kind of procedure that should be incorporated providing for an appeal of some kind to some authority from the aggrieved public in case this measure leads to any unfair competition between the existing road motor services

and the services that are proposed to be started by virtue of this measure. It is a very complicated issue. The question is whether you are going to set up an authority to hear these complaints, to receive these complaints and then you have to prescribe—if you are agreeable to that course—some kind of procedure and the constitution of such a body. I do not know whether my Honourable friend's intention is to leave the Select Committee an absolutely free hand in this matter and make such fundamental changes as will be necessitated for the purpose of meeting a criticism of this kind. I have given only one illustration. I very much doubt whether my Honourable friend realises the stupendous work which he is expecting of the Select Committee, and I may be permitted to tell him that it is not altogether fair to expect the Select Committee to do all the work that should have been done by his Department in the first instance and by the Legislative Department in the second. I should have thought that, after the criticisms that were made on this measure at Simla and after the Government were in possession of the opinions of the various bodies which had been consulted in this matter, the Government would have withdrawn this measure and brought up either a more comprehensive measure to take its place meeting all the various objections, or taken their own time to consider the recommendations of those two officers that I have mentioned and brought up a much more comprehensive measure dealing with the whole problem from the point of view of all the Railways in India, big and small. I should have liked my Honourable friend to make a statement on this particular question as to whether it is his intention to allow the Select Committee a free hand in removing all the various defects that have been pointed out in all these opinions and criticisms. So far as I can see, it would go very much beyond the scope of a Select Committee to do that.

Mr. F. E. James (Madras: European): Mr. Deputy President, one of the most remarkable features of the Indian Civil Service is its versatility. You place one of its members in charge of agriculture, and he becomes a keen agriculturist. You put him in charge of the Ecclesiastical Department, and he becomes a zealous churchman; you put him in charge of the Army Department, and he becomes a militant soldier; you put him in charge of retrenchment, and he becomes keen on retrenchment; and the Honourable Member at present in charge of Railways is naturally keen on Railways and is displaying his tremendous ability in his desire to protect the Railways from unfair competition and I can understand his keenness in that direction. What I want to suggest to him is that possibly he may be displaying his keenness too zealously in protecting an institution which is bound to suffer from the march of progress. I detected from the Honourable Member's speech a certain underlying current of plaintiveness that in fact the Railways were being subjected to competition from motor transport. May I suggest to the Honourable Member that if the matter is taken in hand in the direction which has already been suggested by my Honourable friend, Mr. Neogy, there need be no unfair or harmful rivalry between Railways and motor transport. My Honourable friend is the Member for Railways. I should very much have preferred that he were Member for Communications and Transport generally, as then, I am perfectly sure, he would realise that there should be no real rivalry between these two forms of transport. Motor transport is, after all, the handmaid of rail transport and should be regarded as such, instead of which it is regarded as a scullery maid and is kicked all over the place, first of all by the Finance Department, and

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then by Local Governments. It is taxed by every municipality; it is taxed by local boards, it is taxed by the customs authorities, it is taxed in every conceivable form. I suggest to the Honourable Member that, instead of using this tremendous modern development as a means of helping Railways themselves, he and some of his colleagues have chosen to regard motor transport as something which should not exist in the presence of Railways.

Sir, I do not offer any opposition to this Bill except to suggest that the particular clause in question needs very careful redrafting, as has been suggested by one or two organisations whose opinions have been sought. But I do put forward,—and I use this as an occasion to put forward what has been put forward very ably by my friend, Mr. Neogy,—that this, after all, is only tinkering with the real question. The real question is how to co-ordinate these two great services of transport which are both absolutely necessary for the development of the country. Motor transport has come to stay. Motor transport deserves to stay, and it should be treated as the useful thing that it is. No doubt, it is putting the Railways on their mettle,—I don't mean literally so,—I mean metaphorically,—it is putting the Railways on their mettle; but I believe that Railways stand to gain ultimately, first of all by a more progressive policy in regard to its own passenger services,—I am referring particularly to third class passenger services,—and, secondly, by regarding roads and motor transport thereon as essential feeders. If the Railway Department and the Honourable Member concerned were to regard transport generally in this broader aspect, not only would the country itself benefit, but, I believe also, that Railways would stand to gain tremendously.

Mr. S. C. Mitra (Chittagong and Rajshahi Divisions: Non-Muhamadan Rural): Sir, when I heard the Honourable the Commerce Member speak, I thought that this was a very simple matter, and that it was really a one clause Bill; but, as I hear the other speakers, I am able to understand more clearly some of the difficulties and I hope the Honourable Member in his reply will make some of the points clear. I do not think my friend, Dr. Ziauddin, is quite correct when he says that in this Bill the question of all Railways is concerned. As I read the Bill, I find that the only clause to be amended by this Bill is clause (e) of section 51 of the Indian Railways Act, which says that "Any Railway Company, not being a Company for which the Statute 42 and 43 Victoria, Chapter 41, provides, may from time to time exercise, with the sanction of the Governor General in Council," and so on. I do not know how far I am correct in my contention that all the State-owned and Guaranteed Railways are not concerned in this Bill. If that is so, I do not know, how our State-owned Railways, conducted with a top heavy administration and similar other considerations come within the purview of this measure. If it is contended that this power is required for smaller Railways, and that the other power is already contained in the Statute for the State-owned and Guaranteed Railways, then, of course, the bigger question about the competition between motor transport and Railways comes in. So I should like to know from the Honourable the Commerce Member as to what exactly the position is.

Then, my friend, Mr. James, stated that bus companies and other means of transport would be put to a very unfair competition as against

those Railways, but I thought that the Honourable the Commerce Member had made it clear that in respect of the local rules, made by Local Governments or District Boards or local bodies, no attempt would be made to exempt these smaller Railways running these buses in a preferential manner than any other means of transport. If that is so, then, of course, no objection can be raised from that standpoint. I find that the Government of Bengal raise the same question as Mr. Neogy has raised. This is what they say :

"As regards the opinion of this Government, I am to say that the provisional view is that there is no objection to the proposed legislation, but that Government would prefer to await the receipt of the report of Messrs. Mitchell and Kirkness on the question of co-ordination of road development with Railways before arriving at a final opinion."

And certainly this House can claim that they should know the views of the experts on this general question of competition between Railways and motor buses, and if it is ready, I hope there will be no objection on the part of the Government to place that report before the Select Committee sits or, in any case, before the House is asked to come to a decision on this Bill. In the opinions expressed, the Burma Government say this, quoting the opinion of the Commissioner of Mandalay Division :

"The Commissioner, Mandalay Division, adds a warning that safeguards should be established against rate-cutting wars with companies already in existence, and that no attempt should be made to force the public to return to the Railway by first killing competition and then closing down the motor services."

It has been suggested by other bodies also that this motor transport should not be killed as it will serve the purpose of feeder lines to Railways. I think these are all matters of detail and can be gone into in the Select Committee. If the present Bill only deals with clause (e) of section 51 of the Railways Act, and if the purpose is to confine itself mainly to this one thing, then I think all the minor matters can be discussed and settled in the Select Committee, and we may not at this stage oppose this reference.

Mr. T. N. Ramakrishna Reddi (Madras ceded Districts and Chittoor: Non-Muhammadian Rural): Sir, on behalf of the bus-owners, I have no hesitation in opposing this Bill going to a Select Committee. Motor traffic has now come to stay in the country. It is rendering a very useful service. This service has now connected the remotest parts of the villages with the towns and the main Railway lines, and facilities are improving by leaps and bounds. Already unfortunately the bus service is being ruined due to various causes, and one of the causes is competition among themselves by cutting down their rates. They are also suffering from having to pay very heavy licensing fees imposed by the District Boards and other local authorities, and, therefore, the introduction of bus service by the Railway Department will mean an additional blow to the growth and development of motor traffic in this country.

Sir, this Bill is introduced just to put an end to the unfair competition that is going on in the country and the diminution of Railway revenues on account of bus services running in the country. I know that there is a real grievance that the Railways are losing to some extent on account of this competition. I can quote one instance. For instance, in the Mettupalayam-Nilgiris line, the traffic is falling off to a great extent on account of bus service running between Ooty and Mettupalayam. I am told that

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the road there was closed for some time for repairs and, during that period, the Railway got enhanced revenues on account of the compulsory stoppage of bus service for those few days. That is true, but the remedy proposed is not commensurate with the grievance. The mere fact that another bus service will run and compete with private bus service will not put an end to that grievance. I do not know if Mr. Mitchell's Committee which was referred to by Mr. Neogy is still sitting or has done its work. In any case, the report of that Committee is not before us. We have to examine the recommendations of that Committee and see how far we can alleviate the grievance. My Honourable friend, Dr. Ziauddin Ahmad, has brought to notice another important fact. He has rightly stated that there is the question of roads, and he has asked Government whether they are prepared to defray the expenses incurred on putting up bridges on roads or for repairing roads.

[At this stage Mr. Deputy President (Mr. R. K. Shanmukham Chetty) vacated the Chair which was occupied by Sir Hari Singh Gour.]

At present most of the roads are under the management of the District Boards. There are no doubt trunk roads for the maintenance of which Government make full contribution, but yet those roads are managed by the District Boards, at any rate, in my Presidency for which I can speak. To put up bridges and culverts on trunk roads, Government make full contribution, but what about the other first class roads and second class roads which are under the control of the District Boards? Government contribute only a half grant for any bridges in the second class roads, but I know, as a matter of fact, that second class roads, connect very important places with railway stations, and the proposed bus service, if the Bill is passed, will have to run on those roads. There is no guarantee forthcoming that the Government are prepared to defray the whole expense of the maintenance or for putting up any necessary culverts. It is a notorious fact that District Boards are working at great deficits, and they could not find any money to repair those culverts or roads, and there must be some guarantee forthcoming from the Government that they are prepared to defray the expenses for putting up any bridges or for maintaining second class roads. We do not find any guarantee in that connection in the Bill. These are some of the considerations which we have to remember. Again, another fact is, whether, even if the bus service is introduced, it would work well. It would have to work in competition with private service. I know from experience that in the City of Madras, where a lot of private bus service has been established in recent times, the electric tramway company was losing heavily. So, the tramway company introduced buses to run in competition with the private bus service. The company purchased very big buses, and they had their own conductors and drivers who were paid amply. But I find now that all these buses have disappeared, and not a single bus of the company is to be seen. I think it is due to the fact of keen private competition. . . .

Mr. F. E. James: Taxation.

Mr. T. N. Ramakrishna Reddi: Yes, they have to meet heavy taxation. Coming to the question of taxation, when I was about to start for Delhi, there was a meeting of the District Board of my district where they

wanted to revise the taxation. The taxation is already heavy, and on that account some of the private bus owners are stopping their service. Still the District Board have begun to consider the question of further taxation. They are not satisfied with the licence fee that they are obtaining now. Not only that, but they want to levy a uniform licence fee, that is to say, whether a bus runs ten miles or 70 or 80 miles, it will have to pay the same licence fee, and that will be another blow to the bus service. This aspect the Government will have to consider—if they would allow the District Boards to levy their own licence fees, whether it be high or low. There are various other questions which will have to be taken into account in giving our consent to this Bill going to a Select Committee. All these questions have not been dealt with in this Bill and the Government themselves have not expressed any opinion with regard to these things. Moreover, the report of the Mitchell Committee is not yet before us, and it is too premature for us to make up our minds on this Bill. So, I beg to oppose the motion.

Mr. N. N. Anklesaria (Bombay Northern Division: Non-Muhammadan Rural): Sir, I support the Honourable the Railway Member's motion. My Honourable friend, Dr. Ziauddin Ahmad, stated that he did not know what was relevancy. I quite agree with him in that statement of his. The reasons which he adduced for opposing the motion of the Commerce Member were perfectly irrelevant to the issue before us. The Honourable Doctor stated that if the Bill became an Act, some people who were plying motor buses for hire would suffer. I say, that is absolutely irrelevant to the question at issue in this Bill. As a matter of fact, as the Honourable the Railway Member made it clear, the railways are not going to have a monopoly of plying these buses for hire. If the private owner of buses plies his trade more economically and more efficiently and does really supply a public need, I submit he has got absolutely nothing to fear from Railway competition, but, as I said, the matter is absolutely irrelevant to the question involved in the present discussion. The question before this House and the whole country is whether our Railways should be made paying concerns or should be allowed to remain and continue as losing concerns. That, I submit, is the first question before the House and I think there can be only one answer to that question. The next question to be considered is whether this Bill would tend to make our Railways paying concerns and I think that this Bill, by removing an existing disqualification from the path of the Railways, will certainly tend to make them paying concerns. Of course there may be differences of opinion as regards the legal machinery by which our object is to be attained, but, I say, that is a matter absolutely for the Select Committee to consider, and I submit that all the arguments adduced against the present motion are relevant to be discussed in the Select Committee and in no way they affect the immediate question before the House. I, therefore, support this motion.

Mr. B. V. Jadhav (Bombay Central Division: Non-Muhammadan Rural): My friend, Mr. Anklesaria, has put before us a very pertinent question. It is whether our Railways in which millions and millions of pounds have been sunk are to be profitable or not. Up to this time Railways have been profitable. They have been earning good dividends and that is the reason why the Company concerns were purchased at a very big price and the Companies made much money. But it is found

[Mr. B. V. Jadhav.]

latterly that the Railway Companies are not making as large profits as formerly. The only reason of this diminution of revenue is not the competition of the bus services. It may be one of the reasons, but there are other reasons also and I do not think that the bus service is contributing much towards the losses on the Railways. Until the competition from the bus services came, the Railways were very indifferent to the convenience of the people. The timings of the Railways were rather inconvenient and the Railway authorities paid no attention to the complaints that were made. When some of the Railways were constructed, it was done with a complete disregard of the convenience of the people. I would point out one instance, the Madras and Southern Mahratta Railway from Poona to Belgaum. It scrupulously avoided every populous town. It went through the depopulated country and it was connected with the big towns by roads and many of the stations were connected by such roads as the Satara Road, Sasvad Road, Gokak Road, and so on. Latterly, when the bus services started, they started on the provincial or imperial roads which passed through all the important places and they met the convenience of the people and, therefore, they drew a large passenger traffic from the Railway. The Railways in the olden days have committed mistakes and they have to suffer for them and what is the remedy now provided by this legislation? It proposes to allow the Railway authorities to have bus services to compete with the bus services already on the roads.

The Honourable the Commerce Member has told us that this legislation is not required for enabling the State-managed Railways to run buses; nor to enable the Company-managed Railways to run the bus service, but solely in the interests of the small feeder lines maintained by the local boards or small Companies. I may state here the way in which the Great Indian Peninsula Railway is now running a motor service from Talegaon to Junar. Junar is an inland town about 60 miles away from the Railway station and the bus service from Talegaon to Junar never competed with the Great Indian Peninsula Railway. It only served as a feeder to the Railway; but, in order to kill that bus service, the Great Indian Peninsula Railway is running a bus service of their own and it is a State-managed Railway. Such instances will be multiplied later on. The motor services already existing actually meet this need. This service really did not bring one more passenger to their Railway, because all of them were coming over that route. In the same way, the Madras and Southern Mahratta Railway may propose starting a motor service, but it is a well known fact that the Madras and Southern Mahratta Railway has been so very badly constructed or aligned that the most populous cities require a longer journey to take by the Railway. Take for instance, the distance between Belgaum and Dharwar. By the bus service it is about 42 miles. By the Railway it is 75 miles. Does the Railway expect that a man will travel 75 miles in order to help the Railway to earn revenue and not travel 42 miles on the road and save time and money? I am not going to help these Railway Companies to run motor service in order to kill the motor traffic. Do the Government expect that the motor service that will be started by Railway Companies will bring in more revenue to the Railways? For the sake of competition, they will have to lower

their rates in order to attract traffic from the present bus service. It is well known that the present bus service is working at rock bottom rates and if the Railway Company start their own bus service, they will have to accept those rates and compete on those terms. They will not bring any more profit to the Railway, but they will do a good deal of harm to others and, therefore, even if these feeder lines are empowered under this Bill to start bus service, they will not tend to increase their revenue, but perhaps it may injure others. Government should have thought twice before they brought in such legislation and, as the opinions of Local Governments are not favourable to this Bill, there is still time to consider **and postpone this Bill till more information is laid before this House and the report of the Road *versus* Railway Committee has been placed in our hands, as demanded by Mr. Neogy.**

Sir Leslie Hudson (Bombay: European): Sir, I move that the question
4 P.M. be now put.

[At this stage Mr. Deputy President (Mr. R. K. Shanmukham Chetty) resumed the Chair.]

Mr. Deputy President (Mr. R. K. Shanmukham Chetty): The question is that the question be now put.

The motion was negatived.

Mr. Gaya Prasad Singh (Muzaffarpur *cum* Champaran: Non-Muham-madan): Sir, I am glad that the Government have the good sense of not joining in the motion for closure. It was from a Member of the European Group that the motion for closure was put, when many Members of the Opposition stood up. Sir, this Bill is not as simple as it seems, and I shall say just a few words even at this late hour. In the first instance, I would like to point out that there seems to be a certain amount of inconsistency between the Statement of Objects and Reasons and the provision which is proposed to be inserted in this Bill. The last paragraph of that Statement says:

"It is proposed, therefore, by amending sub-section (e) of section 51 of the Act, to make it clear that the Railway Companies referred to in section 51 may own and operate unconditionally road motor services for the carriage of traffic in areas served by their Railway."

But what I find in the only operative part of the clause is this:

"(e) It may provide for and maintain any means of transport for the conveyance of passengers, animals or goods in any area to which access is afforded by its Railway;"

The Statement of Objects and Reasons proposes to confine this question to a competition between rail and motor transport only, but the Bill seeks to carry it much further, and tries to include other means of transport not contemplated in the Statement of Objects and Reasons; for instance,

[Mr. Gaya Prasad Singh.]

it may affect the river traffic, the canal traffic, road traffic by animal power, and so on. This is the all-embracing character of the provision which is now sought to be included. Then, again, the second point is that in the Statement of Objects and Reasons it is stated that unconditionally this competition may be allowed, whereas it may be necessary to impose, if desirable, conditions under which Railways may be allowed to compete even in questions of motor road transport; for instance, the local rates and taxes which other means of transport have to pay must be paid by the Railway Company if it enters into that sort of competition. Sir, this point has been made clear in the opinion of the Bihar and Orissa Government. It states in paragraph 3:

"If, however, it is decided to allow all Railways to have the right to run road services, it will be necessary, in order not to kill local enterprise as well as for other reasons, that the railway road services must be subject to the same taxation, both Central and Provincial, and Provincial control, as the private services. This has reference to the word 'unconditionally' in para. (3) of the Statement of Objects and Reasons."

Sir, the report of the Mitchell-Kirkness Committee has not yet been made available to Members of this House, and I would ask my Honourable friend in charge of this Bill whether it is fair to this House to ask us to accept the principles of the Bill without disclosing to us the contents of that document. It was circulated, I understand, to the Local Governments concerned, and I find that a reference to this report has been made in the opinion of the Bihar and Orissa Government, which says:

"The Mitchell-Kirkness report on the Rail-Road enquiry (Bihar and Orissa) estimates the loss to all Railways in Bihar and Orissa due to road competition to be rupees seven lakhs a year in passenger traffic."

and, then, the opinion which is expressed by this Government is that:

"It is extremely doubtful whether by running road services of their own, the Railways would be able to recover this traffic at a reasonable cost, because in Bihar and Orissa the competitive rail and road sections are of short lengths only, 50 miles and under. Further, it is not clear that the railway-run motor services can be run as cheaply and economically as the private services."

I shall not trouble the House with reproducing further quotations, but I shall mention in passing that the Bihar Chamber of Commerce also oppose this Bill. The only expert gentleman who was asked to make a report on this question in the Presidency of Madras gives an opinion which is adverse to this Bill. I find at page 8 of the opinions that Rao Bahadur T. K. T. Viraraghavachariar Avargal, the special officer who was appointed to investigate the question of co-ordination of road development with Railways, has stated:

"The term 'any means of transport' covers all other forms of transport besides motor transport, which is the only one mentioned in the Statement of Objects and Reasons as seriously affecting the revenues of certain small Railways not specifically mentioned. The terms of the amendment would enable Railways to start services to compete with legitimate and essential private enterprise in canal traffic as well as road traffic by animal power."

From his report, Sir, it appears that he is also not favourably disposed to this particular proposal which is before the House. Sir, the Railways with their vast resources command a monopoly in this country, and if they are allowed to encroach upon private enterprise, it will be a serious matter for private enterprise also. Those of us who have occasion to go up to Simla, for instance, know that the Railway between Kalka and Simla is not as much patronised as the motor transport between these two places, by reason of the fact that the motor transport is much cheaper, speedier and comfortable, and it is not proper that, without any thorough inquiry and without disclosing to us the full facts of the situation, this Bill should have been brought before us. I know that the revenues of the Railways are falling on account of the serious competition between private motor enterprise and themselves, but it is just possible that the Railways are not managing their affairs as efficiently as they are expected to do, and for their mismanagement certainly the tax-payers of this country and the public in general should not be made to pay the penalty. In these circumstances, Sir, I am very doubtful whether it will serve any public purpose to refer this Bill to a Select Committee, and as I do not agree with the main provision of the Bill, I am constrained to oppose it.

Mr. Muhammad Azhar Ali (Lucknow and Fyzabad Divisions: Muhammadan Rural): Sir, in this Session as in the last Session we find that such Bills as concern more with the public interest and about which the public is feeling some sort of scepticism are rushed through in such a hurry that nothing can be done to them. I find that this Bill, which is not only concerned so much with the public revenues, but with the revenues of the Railways, is being rushed through in this Assembly. Few preliminary objections have been taken by Mr. Neogy and by Dr. Ziauddin Ahmad to this Bill. It can be very easily argued by our friend, Mr. Anklesaria, that Dr. Ziauddin Ahmad's objection as to the relevancy or the irrelevancy of the matter is not so very important. But the reasons which Dr. Ziauddin Ahmad gave were quite relevant and unanswerable.

The Railway Budget is always a deficit Budget and still we find that the Railway Department is intending to tap other sources of income which may cut the throat even of the public. Sir, in this age of depression, when the B. and N. W. and the R. K. Railways could not be purchased by the Government, it is rather surprising that they are going to handle such enormous schemes. It is said that the Railways will buy and carry on business of a very heavy kind, that is to say, grain, etc., will be taken from one part of the country to another, and it will be an extra source of income. My submission is that you are undoubtedly trying to do nothing but to enter into a business which you think will be more lucrative and you want to deprive the public of the profit which it is getting at present out of that business. Sir, it has always been fairly remarked that Government ought not to enter into such competitive business which the public has in hand. The Railway buses may be a convenience to the public, but they always arrange the timings in such a way that the public cannot get any benefit from them. The present motor buses which are being run in the country are being run from one place to another at the intervals of 10, 20 and 30 minutes, but this will not be done by the Rail-Motors. They will arrange their timings according to the railway timings and fix their fares according to their needs. I do not think the Railway Department undertakes this motor transport simply for the convenience of

[Mr. Muhammad Azhar Ali.]

the public, but it is to make money after stifling the great business which the Indians themselves are taking up in their hands. Sir, for a mighty Government like the Government of India it is unbecoming to enter into competition with those very poor people who are the subjects of the State. To stifle their business in this way is nothing short of cruelty. It is aptly said that a poor man should not build his house near the house of a rich man. This maxim, aptly fits in in the present case.

Sir, Railways can spend their capital in any way they like; they can borrow money and they can invest money in any business they like; but, in the present condition of the country, when there is depression all over, it is simply absurd to say that they ought to enter into a business like that. How could poor people then compete with them?

Mr. K. Ahmed (Rajshahi Division: Muhammadan Rural): If these people strike, what will the Government do?

Mr. Muhammad Azhar Ali: It is not a question of railway strike that I am discussing. When Mr. Joshi gets up, he will be able to take up this question. I am sure, my friend, Mr. K. Ahmed, will be able to bring in his own constituency people to help us to tide over that difficulty. Sir, the position is very clear. The Opposition does not want to oppose this Bill at the present stage from going to the Select Committee, but the question is whether the Select Committee will allow such changes which the Opposition desires to make. If the Honourable the Mover of this Bill is prepared to satisfy the House that the members of the Select Committee will have a right to discuss the Bill, not only in its details, but also in its principle, then I think we might vote for the Select Committee.

Mr. Laichand Navalrai (Sind: Non-Muhammadan Rural): Sir, this question does not appear to be so easy nor is it only a trifling one as some Members seem to imagine. The point that we have to consider is whether this Bill, which is now before us, is for the benefit of the Railways only or is against the interests of private individuals. Sir, it has two sides. One is the claim of the Railways that their revenues have gone down on account of private transport business. On the other hand, the public say that they are the persons who at a great cost and inconvenience have been able to establish motor traffic business to give more convenience to the public and are running the buses at a cheaper rate. Therefore, these two questions have got to be considered very seriously. The main point that the House has got to consider is whether the private undertakings which are now in existence should be allowed to be affected in any way. In my humble opinion if the Company-managed Railways and even the State Railways are allowed to carry on this business in competition with the private individuals, the transport business of the private individuals will be ruined. I have great sympathy with the private individuals who had to run the motor buses when they were so needed. They have afforded great facilities to the travelling public for the performance of short journeys without waiting in expectation for long periods as they have had to do in the case of Railways. Therefore it should not be only for increasing the revenue of the Railways that this Bill should be passed. The original intention while starting these Railways was not to allow them to do any other business but to run railway conveyances and to be restricted to their own business. Why should they trespass upon the business of others to their detriment? Section 51(e) of the Indian Railways Act clearly provides that a Railway Company cannot own

and operate a road motor service as a feeder to its own railway, unless the traffic to be carried by such service is through-booked over the railway. A Company is also precluded from operating a road motor service where an adequate service is already in existence, and from running any other mode of conveyance parallel to its railway line. I do not see the least justification why this rule, which is a very salutary one, should be encroached upon and, therefore, I request the Railway Member and Government to find out ways of increasing their revenues in the proper and usual manner without encroaching upon the rights of others.

It appears to me that the Railways themselves are responsible for their income having gone down. It seems that the Railway authorities carry only one impression in their minds that they have only to earn money, that they are commercial bodies and that they should not care for the conveniences of the people or for any facilities that the people want. This can be fully illustrated by several instances that have happened. Even in this House questions have been very often put and statements made to the effect that there are several places where a direct Railway Service is needed. For instance, there is no direct Railway Service between Delhi and Karachi or between Jacobabad and Karachi *via* Dadu on the N. W. Railway. The Railway authorities have refused even to attach a composite for the purpose of getting this direct route to Karachi *via* Dadu; and, whenever a question is put, the reply is that it is pecuniarily disadvantageous to the Railway. We find, however, that there are several other lines on which they earn comparatively much more than the amount of conveniences required. Thus they should care for the convenience of the people on such lines where they may not be earning as much. Things like this have led to the introduction of the motor buses and the motor traffic and now that they have come with prominence, they should not be put down with a high hand. It is not fair at all. It appears to me that the remark that Dr. Ziauddin Ahmad made that the Railways should not ask for certain legislation before they have put their own house in order has great force. That advice should be taken, because at present the motor buses are giving better and cheaper service than the local trains are doing. For instance, we know that trains are running very slow and people have to lose a great deal of time. Why should people wait for these slow trains and not utilise this speedy road transport? Then, on the Railways, people have to wait long hours at junctions for train connections. For instance, on the N. W. Railway Ruk station passengers have to wait for two or three hours at dead of night for a connection. If such defects are there, how do Railway authorities expect sympathy from this House or from the public for competing with the motor bus services? Then, one finds that the railway fares are very much higher, and longer distances force heavier charges. An example of that has been already given, and I will also quote one more instance. Between Larkana and Kumber it is only about 14 miles, but the railway charges for about 22 or 23 miles. Is it fair that the Railway should not give conveniences, should not provide speedier trains and should not do away with the undue waiting at stations, when they charge higher fares? If they provide these conveniences, it will not be necessary for the Railways to run in competition with the motor services. Therefore, the Railways should think over all these and make out a case that they are very just in demanding that their revenues should be raised by road traffic competition. Then only they will have some case to come forward with; until such time, the Bill is premature.

Mr. S. C. Sen (Bengal National Chamber of Commerce: Indian Commerce): Sir, I understand from the Honourable the Commerce Member that the object of this Bill is that as, on account of road competition by motor buses, the income of the small Railways has been reduced, this Bill has been introduced to enable these small Railway Companies to run their buses in competition with the road buses. This matter was considered by Government and a Committee was appointed, the report of which was to have been submitted to this House in November. In this connection I will refer the Honourable the Commerce Member to an assurance given by Sir C. P. Ramaswami Aiyar who was then Commerce Member, when he first introduced this Bill.

My friend, the Honourable Mr. Muazzam Sahib, at that time submitted that the report of the Committee to inquire into the co-ordination of the railways with the road traffic should be awaited and that this subject should be brought up after the report of that Committee is placed before this House. In answer to that, the then Commerce Member said: "I may at once assure the Honourable Member that the report will be published at the end of November, if not before." That was the assurance given or statement made by the Commerce Member, and that answer implied that he accepted the opinion of Mr. Muazzam Sahib, namely, that the consideration of this matter should be awaited till the report has been published. Our grievance here is this, that the Government are now rushing through this matter and putting it before the Select Committee before the House has had an opportunity of considering the report made by these two gentlemen who were appointed by the Government of India to make the report. That report would or ought to show, I submit, whether the losses said to have been incurred by these small Railways were due only to the competition with road buses or whether the losses were due to some other causes, namely, depression of trade and otherwise. If, to the latter cause, then this will be no remedy for the losses sustained, though I know that the small Railways are suffering losses. However, I do not think the time is ripe for this matter to be brought forward before the report has come before this House and we have had an opportunity of considering that report. Secondly, the Honourable the Commerce Member said that there was unfair competition between these small road buses and the Railway Services. I do not know how the competition is unfair. Of course this report, if it had been produced, would have shown in what way the competition was unfair or not. Now, to remedy these things only a small paragraph is to be added to section 51 of the Railways Act; and I put before the Honourable Member whether the running of the buses by these Railways will not put the Railway in a better position and in a much stronger position than those buses. The Honourable the Commerce Member knows perfectly well that under the Railways Act the liability of a Railway for losses, etc., is that of a bailee under the Contract Act, which means that the liability arises only on negligence, whereas the liability of these road buses is that of a carrier under the Carriers Act which is very similar to that of an insurer. By reason of putting this clause in the Railways Act, the Honourable the Commerce Member practically allows the Railways to run their buses as bailees and not as carriers. Therefore, they would be in a much better position than the ordinary carriers to carry on their business. That question should be thrashed out and another paragraph should be added or the Railways Act should be amended so as to make the position of the Railway buses exactly the same as that of the ordinary buses running on the road, on account of whose competition he

says he is introducing this Bill. With these words, I oppose this reference to the Select Committee as premature as I think that the Honourable the Commerce Member should wait until the production of the report made by these two gentlemen who were appointed by the Government of India.

The Honourable Sir Joseph Bore: Sir, I did suggest that the speeches on the last occasion reflected a certain amount of misunderstanding and, if I may say so, I think the course of the debate this afternoon has justified that suggestion. My Honourable friend, Dr. Ziauddin, is, I know, a relentless critic of the Railway Administration. The Railway Administration is, I think, an obsession with him. I am always glad to sit at the feet of my Honourable friend and learn from him how railways should be run, and I have no doubt that I shall receive further suggestions and advice when we come to discuss the Railway Budget. But, in this particular case, may I point out to him that what my Honourable friend, Mr. S. C. Mitra, said was quite justified? The question of Railway Administration, that is, administration by the Railway Department does not come into the picture at all. I tried to explain in my opening speech that this amending Bill was not intended to confer any additional powers on State-managed Railways or on the large Company-managed Railways. So, how the question of administration by the Railway Board comes into the picture, I am not able to see.

Then, I would like to repudiate the suggestion which, I think, was implicit in Mr. James' remark, namely, that Railways regard motor transport as an undesirable rival. What we say is that the Railway and the road are complementary and that each should work in its most economic sphere, and that if co-operation and co-ordination between them were possible, it would redound to the great benefit of the country as a whole. Now, it has been suggested that Railways could not run buses as cheaply as private owners. If that is so, there should be no fear that private buses will be driven off the roads by Railway Companies. But what will perhaps happen—at any rate what I think may happen—is this: Railways will provide probably a safer, a better organised and a more convenient form of transport, and, even if this entails the levy of slightly higher charges, we may have a section of the public that will be prepared to pay higher rates for these amenities. Then it was suggested that Railways might first drive competitive motor traffic off the roads, and then force traffic back to the Railways. I think that that suggestion is unfounded. The ease with which in this case motor competition can be re-established is, I think, a safeguard against any such contingency.

One Honourable Member raised the question of the maintenance of roads. I would submit that that question does not arise in this connection at all. What Mr. Mitra said he understood me to say was perfectly true. What I said was that, under the Bill, railway motor vehicles would not be placed in any privileged position. We are quite prepared to contemplate their subjection to the ordinary taxation, to the ordinary rules, to the ordinary regulations; and it is open to the Local Governments to decide what they may wish and what they think is just and proper and fair in this connection.

As regards the suggestion that we should see a powerful Government organisation using all its powers to crush private enterprise, I would again point out to my Honourable friend that there is no question of Government entering into competition with these private owners at all. Under present

[Sir Joseph Bhore.]

circumstances, the Government have the power in respect of its State-managed Railways to open and run such services. To the best of my knowledge, they have so far not done so. In this connection I would reply to my Honourable friend, Mr. Jadhav; if he will permit me, I will correct him in regard to the statement that he has made. It is not the fact that the service which he referred to is a railway service; it was a purely private bus service, and I am sure if he will make inquiries, he will see that my information is correct.

Mr. B. V. Jadhav: The timings are given in the Guide.

The Honourable Sir Joseph Bhore: That is perfectly true. It is a private bus service which times its running so as to suit the timings of the railway trains. That is all the connection there is between that service and the Railway.

My Honourable friend, Mr. Neogy, did raise two very pertinent questions. He has asked why we have brought this measure before the Report which has been drawn up by the two officers who have made an investigation into the question of motor competition has been published. I may say, Sir, that so far as that Report is concerned, it supports the action which we are taking under this Bill. That Report is ready; it is in print, and I trust it will be possible to place it either in the Library of the House or in the hands of individual Members of the Select Committee in the course of a few days. In fact, I would go further and say this that I realise the fairness of the comment of my friend, Mr. Neogy, and I would not ask the Select Committee to assemble and consider this measure until it has had ample time to go into the report. I, therefore, undertake, so far as lies in my power, that the Select Committee shall not meet until the Members of the Select Committee have had sufficient time to examine the contents of the Report.

There is only just one other question raised by Mr. Neogy. He asked whether I would be prepared to contemplate a radical change in the Bill during the course of its passage through the Select Committee. Now, Sir, in regard to that, I have only to say this, that if the Bill is recast so as to make it incompatible with the general objects and reasons, then I could not give support to such recasting, but my friend may rest assured that I will be entirely sympathetic towards any reasonable change which it may be found advisable to suggest as the result of examination and discussion in the Select Committee. I hope, Sir, with these assurances that I have given, my friends opposite will not oppose this reference to a Select Committee.

Mr. Deputy President (Mr. R. K. Shanmukham Chetty): The question is:

"That the Bill further to amend the Indian Railways Act, 1890 for a certain purpose (*amendment of section 51*), be referred to a Select Committee consisting of Bhai Parma Nand, Mr. K. P. Thampan, Dr. Ziauddin Ahmad, Mr. S. C. Mitra, Mr. Muhammad Yamin Khan, Lala Rameshwar Prasad Bagla, Mr. R. Smith, Mr. M. Maswood Ahmad, Pandit Ram Krishna Jha, Dr. R. D. Dalal, Mr. P. R. Rau, the Honourable Sir Brojendra Mitter and the Mover, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

The motion was adopted.

THE AUXILIARY FORCE (AMENDMENT) BILL.

Mr. G. B. F. Tottenham (Army Secretary): Sir, I move:

"That the Bill further to amend the Auxiliary Force Act, 1920, for certain purposes be referred to a Select Committee consisting of Sir Leslie Hudson, Sardar Sant Singh, Mr. Lalchand Navalrai, Mr. A. Hoon, Maulvi Muhammad Shafee Daoodi, Captain Sher Muhammad Khan Gakhar, Goswami M. R. Puri, Mr. J. Ramsay Scott, Lieut.-Colonel Sir Henry Gidney and the Mover, with instructions to report on or before the 28th February, 1933, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

In making this motion, Sir, I am not anticipating that the principles of this Bill will prove to be of a contentious nature or such as not to commend themselves readily to the majority of this House. It is rather that the provisions of the Bill itself, as they appear from the papers, may seem a trifle complicated. This, I think, must always be the case when you have an amending Bill which contains a fairly large number of clauses, and the only way to understand their effect is to take a copy of the Bill in one hand and a copy of the Act in the other and to see how they fit together. That is a process which, I think, can be more easily and efficiently performed round a table rather than on the floor of the House. If Honourable Members agree to send this Bill to the Select Committee, I have little doubt that we shall be able, in the Committee, to explain any doubts or difficulties that may arise on points of detail.

The main principles of the Bill are, I think, simple enough. It is primarily an economy measure. Under the Auxiliary Force Act, as it stands at present, the Auxiliary Force is divided into three classes, the Active Class, the A Reserve and the B Reserve. Membership of each of these classes is determined entirely by age. That is to say, a man until he is 31 is in the Active Class, from 31 to 40 he is in the A Reserve, and, after the age of 40, he goes into the B reserve. For each class a definite amount of training is prescribed by a Schedule to the Act itself, and cannot be varied except within very narrow limits. There is a section in the Act under which the training of an individual or even the training of an individual unit may be reduced, but it would obviously be improper and illegal to apply that section so as to curtail the training of the force as a whole.

Then, Sir, another somewhat curious provision of the present Act is that it gives to individuals in the Auxiliary Force the power to decide for themselves how much training they shall do; that is to say, they can claim to do more training than the amount that is actually prescribed for the class to which they belong. A member of the A Class Reserve can claim to do the training of the Active Class, and if he so claims, there is no discretion in the matter; he must be allowed to do it. As the members of the Auxiliary Force only receive pay when they are under training or when they are called out in aid of the civil power, it becomes obvious that, under the Act, as it stands at present, the military authorities have very slight control over the total amount of expenditure. If the force consists of so many people, then the funds to be spent on their training must amount to a certain minimum sum of money, according to the age and class of the people, and may amount to more than that minimum. If members of the Reserve Classes prefer to do more training than the law actually compels them to do.

[Mr. G. R. F. Tottenham.]

What we propose to do in this Bill is to reduce the number of classes in the Force and to have in future only one Active Class and one Reserve Class. Then we propose to prescribe an adequate period of annual training for the Active Class, but to retain to ourselves the right to reduce that training if absolutely necessary. For the Reserve Class we prescribe no training at all except for the performance of an annual musketry course, which will cost comparatively little money. Further, we propose to abolish the age limits on which classification is now based, and to leave it to the discretion of the Officer Commanding each unit to transfer his men from the Active Class to the Reserve when he thinks fit. Finally, we propose to withdraw from the individual the right to do more training than that prescribed for the class in which he is placed. In other words, Sir, we hope, without reducing the numbers of the Force as a whole, to reduce very considerably the numbers of the Active Class, that is to say, the more expensive portion of the force, and to restrict the Active Class in future to the numbers required for the tasks that they are likely to be called upon to perform and also to those men who will be able to turn out when those calls arise. I think it will be admitted that these principles are sound enough. However anxious people may be to receive a military training and however desirable it may be to provide facilities for such training, it is not justifiable to use the tax-payer's money either to train more people than are likely to be required, or to train people who, with the best will in the world, would not be able to respond to the call in a time of emergency, either because they were employed by Government or by a Railway Administration or by a private employer, who had prior claim on their services.

The fact remains, however, that the application of these principles is bound to create some amount of hardship for the individual. Some members of the Force who have in the past been accustomed to do their 16 days training a year and to draw pay for it may find themselves in the future transferred to the Reserve, where they will do no such training and draw no such pay. His Excellency the Commander-in-Chief, therefore, thought it desirable, before attempting to launch these reforms, to refer the matter to the units of the Force themselves and to invite their co-operation. A letter was accordingly sent round to all units in the Force some time last August or September and this was followed up by convening a large representative Committee in Delhi last November. That Committee contained representatives of the different units, and also a representative of the Anglo-Indian Association who was then a Member of this House. The Committee met in Delhi and sat for about a week. They discussed at length all our proposals. Various suggestions made by the units themselves were also examined, and a very large measure of agreement was reached. His Excellency the Commander-in-Chief was very much impressed by the spirit in which the need for economy was accepted by all concerned, and, as His Excellency the Viceroy said in addressing this House on February 1st, we owe a debt of gratitude to those immediately concerned for the manner in which our proposals have been received.

I do not think that there is anything more I need say at present, except to make three points. In the first place, these reforms that we hope to introduce will not, in our opinion, prejudicially affect the real efficiency of the Force. In the second place, if our proposals are accepted, they will mean a recurring saving of Rs. 15 lakhs in the budget for next year

and succeeding years. And, lastly, I should like to make it clear that these proposals have nothing whatever to do with the Indian Territorial Force. There is no proposal under consideration to reduce the periods of training for the Indian Territorial Force or in any other way to reduce the present level of expenditure on that Force. Sir, I move. (Applause.)

Mr. Deputy President (Mr. R. K. Shanmukham Chetty): Motion moved:

"That the Bill further to amend the Auxiliary Force Act, 1920, for certain purposes, be referred to a Select Committee consisting of Sir Leslie Hudson, Sardar Sant Singh, Mr. Lalchand Navalrai, Mr. A. Hoon, Maulvi Muhammad Shafee Daoodi, Captain Sher Muhammad Khan Gakhar, Goswami M. R. Puri, Mr. J. Ramsay Scott, Lieut.-Colonel Sir Henry Gidney, and the Mover, with instructions to report on or before the 28th February, 1933, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

The motion was adopted.

Mr. S. C. Mitra (Chittagong and Rajshahi Divisions: Non-Muhammadan Rural): May I ask, as Lieut.-Colonel Sir Henry Gidney has not yet taken the oath of allegiance, whether he is entitled to sit on the Select Committee?

Mr. Deputy President (Mr. R. K. Shanmukham Chetty): I understand that Lieut.-Colonel Sir Henry Gidney has been nominated a Member of this House. It is true that the Honourable Member has not taken the oath of allegiance. It will be in order to include his name in the list of members for the Select Committee, but he would not be entitled to sit on that Committee unless he has taken the oath of allegiance before then.

The House now stands adjourned till 11 o'clock to-morrow.

The Assembly then adjourned till Eleven of the Clock on Tuesday, the 7th February, 1933.